EARLY JUDAISM AND ITS LITERATURE

Seeking the Favor of God

Volume 2, The Development of Penitential Prayer in Second Temple Judaism

Edited by

Mark J. Boda, Daniel K. Falk,
and Rodney A. Werline

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Society of Biblical Literature

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Judith H. Newman,
Series Editor

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Abbreviations

Primary Sources

1 En.	*1 Enoch*
1QapGen	*Genesis Apocryphon*
1QH[a]	*Hodayot*[a] or *Thanksgiving Hymns*[a]
1QM	*War Scroll*
1QpHab	*Pesher Habakkuk*
1QS	*Rule of the Community*
2 Bar.	*2 Baruch*
2 En.	*2 Enoch*
4QDibHam	*Words of the Luminaries*
4QFlor	*Florilegium*
4QMMT	*Miqṣat Maʿaśê ha-Torah*
4QpPs	*Psalms Pesher*
11QPs[a]	*Psalms Scroll*[a]
11QT	*Temple Scroll*
Ant.	Josephus, *Jewish Antiquities*
b.	Babylonian Talmud
Ber.	*Berakot*
CD	Cairo Genizah copy of the *Damascus Document*
J.W.	Josephus, *Jewish War*
Jos. Asen.	*Joseph and Aseneth*
Jub.	*Jubilees*
L.A.B.	*Liber antiquitatum biblicarum*
Leg.	Philo, *Legatio ad Gaium*
LXX	Septuagint
m.	Mishnah
MMT	*Miqṣat Maʿaśê ha-Torah*
MT	Masoretic Text
Pesiq. Rab Kah.	*Pesiqta de Rab Kahana*
Praem.	Philo, *De praemiis et poenis*
Ps. Sol.	*Psalms of Solomon*
Sib. Or.	*Sibylline Oracles*

t.	Tosefta
T. Gad	*Testament of Gad*
T. Mos.	*Testament of Moses*
T. Naph.	*Testament of Naphtali*
Taʿan.	*Taʿanit*
Tanḥ.	*Tanḥuma*
War	Josephus, *Jewish War*

Secondary Sources

AB	Anchor Bible
ABD	*Anchor Bible Dictionary*. Edited by David Noel Freedman. 6 vols. New York: Doubleday, 1992.
AcT	*Acta theologica*
AGJU	Arbeiten zur Geschichte des antiken Judentums und des Urchristentums
ANRW	*Aufstieg und Niedergang der römischen Welt: Geschichte und Kultur Roms im Spiegel der neueren Forschung.* Part 2, *Principat*. Edited by Hildegard Temporini and Wolfgang Haase. Berlin: de Gruyter, 1972–.
ATD	Das Alte Testament Deutsch
ATDan	Acta theologica danica
Bib	*Biblica*
BibInt	*Biblical Interpretation*
BJS	Brown Judaic Studies
BZAW	Beihefte zur Zeitschrift für die alttestamentliche Wissenschaft
CBET	Contributions to Biblical Exegesis and Theology
CBQ	*Catholic Biblical Quarterly*
CC	Continental Commentaries
CRINT	Compendia rerum Iudaicarum ad Novum Testamentum
CSCO	Corpus scriptorum christianorum orientalium
DJD	Discoveries in the Judaean Desert
DSD	*Dead Sea Discoveries*
EDSS	*Encyclopedia of the Dead Sea Scrolls*. Edited by Lawrence H. Schiffman and James C. VanderKam. 2 vols. New York: Oxford University Press, 2000.
FCB	Feminist Companion to the Bible
FOTL	Forms of the Old Testament Literature
FRLANT	Forschungen zur Religion und Literatur des Alten und Neuen Testaments
GKC	*Gesenius' Hebrew Grammar*. Edited by E. Kautzsch. Translated by A. E. Cowley. 2nd ed. Oxford: Clarendon, 1910.
HBT	*Horizons in Biblical Theology*

HeyJ	*Heythrop Journal*
HO	Handbuch der Orientalistik
HSM	Harvard Semitic Monographs
HSS	Harvard Semitic Studies
HTR	*Harvard Theological Review*
HUCA	*Hebrew Union College Annual*
HvTSt	*Hervormde teologiese studies*
IBC	Interpretation: A Bible Commentary for Teaching and Preaching
IDS	*In die Skriflig*
IEJ	*Israel Exploration Journal*
ITC	International Theological Commentary
JBL	*Journal of Biblical Literature*
JJS	*Journal of Jewish Studies*
JQR	*Jewish Quarterly Review*
JSJSup	Supplements to the Journal for the Study of Judaism
JSOT	*Journal for the Study of the Old Testament*
JSOTSup	Journal for the Study of the Old Testament Supplement Series
JSP	*Journal for the Study of the Pseudepigrapha*
JSQ	*Jewish Studies Quarterly*
JSS	*Journal of Semitic Studies*
NCBC	New Century Bible Commentary
NIB	*The New Interpreter's Bible: General Articles and Introduction, Commentary, and Reflections for Each Book of the Bible*. 13 vols. Nashville: Abingdon, 1994–2004.
NRSV	New Revised Standard Version
NTL	New Testament Library
OBT	Overtures to Biblical Theology
OtSt	Oudtestamentische Studiën
PAAJR	*Proceedings of the American Academy of Jewish Research*
PTSDSS	The Princeton Theological Seminary Dead Sea Scrolls Project
RB	*Revue biblique*
RevQ	*Revue de Qumran*
ROC	*Revue de l'Orient Chrétien*
SBLAcBib	Society of Biblical Literature Academia Biblica
SBLBMI	Society of Biblical Literature The Bible and Its Modern Interpreters
SBLDS	Society of Biblical Literature Dissertation Series
SBLEJL	Society of Biblical Literature Early Judaism and Its Literature
SBLMS	Society of Biblical Literature Monograph Series
SBLSP	Society of Biblical Literature Seminar Papers
SBLSymS	Society of Biblical Literature Symposium Series
SDSSRL	Studies in the Dead Sea Scrolls and Related Literature

SJ	Studia judaica
SJLA	Studies in Judaism in Late Antiquity
STDJ	Studies on the Texts of the Desert of Judah
TDOT	*Theological Dictionary of the Old Testament*. Edited by G. Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry. Translated by David E. Green. 15 vols. Grand Rapids: Eerdmans, 1974–2006
TSAJ	Texte und Studien zum antiken Judentum
TUMSR	Trinity University Monograph Series in Religion
VT	*Vetus Testamentum*
VTSup	Supplements to Vetus Testamentum
WMANT	Wissenschaftliche Monographien zum Alten und Neuen Testament
WUNT	Wissenschaftliche Untersuchungen zum Neuen Testament
ZAW	*Zeitschrift für die alttestamentliche Wissenschaft*
ZBK	Zürcher Bibelkommentare

Preface

Over the course of two years at the close of this past century (1998, 1999) four volumes were published in the field of Second Temple Judaism that considered in varying degrees texts and issues related to penitential prayer. Their appearance suggested that the study of this form of prayer was of interest within the academic guild, but unfortunately the simultaneous character of their publication meant that there had been little room for interaction between the works. It was this that brought together a group of five—Richard Bautch, Mark Boda, Daniel Falk, Judith Newman, and Rodney Werline—to facilitate discussion on this topic at the Annual Meeting of the Society of Biblical Literature for a three-year period from 2003 to 2005. Participation in the consultation was open to all members of SBL. While papers were invited for the thematic session each year to ensure coverage of that year's focus, an open session provided opportunity for any consultation member to contribute. The hope was that the sessions would facilitate interaction over past contributions, showcase new and fresh ideas, as well as synthesize the results that had been gained so far in the study of these prayers. It was also hoped that this would encourage dialogue between scholars working in areas related to Second Temple Judaism but isolated by other disciplinarian lines (Hebrew Bible, Qumran, Second Temple literature, New Testament, post-70 C.E. Judaism, early Christianity). Each year the consultation invited a senior scholar who had worked extensively in the field to set the recent work in the broader scholarly context, to offer a critical review and, to provide trajectories for future research.

One of the key goals of the consultation from its inception was the publication of the best of its papers, with the focus of the volumes on the themes of the three years of the consultation (Origin, Development, Impact). The present volume is the second in this series and focuses on the development of penitential prayer in the Second Temple period.

This collection of essays commences with Eileen Schuller's survey of the landscape of penitential prayer studies. She welcomes the more recent interest and publications on penitential prayer and prayer in general, especially those from the "new generation" (a designation used by Samuel Balentine in volume 1): Boda, Bautch, Chazon, Falk, Newman, Nitzan, and Werline. A key question that she raises in this essay relates to the proper term for the form of these prayers. Is

penitential prayer a category to itself, or should these prayers be primarily designated as petitionary prayers with penitential elements within them?

A frequently recognized problem with the penitential prayer in Dan 9 is the incongruence between the prayer's worldview and that of the narrative context in which it now appears. The penitential prayer exhibits typical Deuteronomic features, while apocalyptic determinism marks the narrative. Two essays in this volume address this problem. In the first, Rodney Werline attempts to explain this tension by noting the ideological and political aspects of the prayer and its narrative context. Drawing on the sociological and anthropological methods of Geertz, Turner, and Bell, Werline argues that the penitential prayer in Dan 9 represents a social action that mediates between many different and sometimes conflicting traditions and empowers the *maskilim* in their resistance to Antiochus IV and the Jerusalem priestly elite.

In a second essay on Dan 9, Pieter Venter suggests that the prayer and the narrative, with their different historical and theological perspectives, create a *montage* effect in which two ideas are placed within the same context in order to generate an entirely new meaning. He gets at this new meaning through theories of spatiality. The ancient author's apocalyptic views created a social and theological eschatological space in which penitential prayer could exist. Through this construction of the world, the author and readers of Daniel found a way to resist the oppression brought by Antiochus IV and at the same time participated in a liturgy appropriate for the coming heavenly temple.

Michael Floyd returns to a question of primary interest in volume 1: What is the relationship between penitential prayer and lament/complaint? From his thorough analysis of the formal features of the penitential prayer in Bar 1:1a–3:8 and by comparisons to individual lament, which scholars have typically not included in their form analysis of penitential prayer, he concludes that penitential prayer and lament exhibit few formal differences. The two forms differ only in content, but even in this regard, he maintains, penitential prayers appear to develop themes that are latent in complaint texts. Floyd does recognize, however, that the liturgical setting and practice of penitential prayer must have differed significantly from that of complaint psalms.

LeAnn Snow Flesher contributes an essay on Judith, a book that proves to be of special value for the discussion because it contains both a lament and statements representative of the Deuteronomic worldview. The presence of the lament demands a reassessment of Westermann's claim that penitential prayer replaces lament in the Second Temple period. Its placement alongside Deuteronomic statements invites further reflection on the tension between these expressions and the theologies that inform them. Flesher also notes that the ancient author must work with these ideas while addressing the real-life issue of resistance to the oppressive rule of the Seleucids.

By examining the Prayer of Manasseh, Judith Newman begins to fill in an obvious and important gap in recent penitential prayer studies. The somewhat

uncertain date of this text, its apparent focus on the sin of an individual instead of the people as a whole, as well as its thematic, linguistic, and theological differences when compared to "typical" penitential prayer texts most likely contributed to this past omission. She asserts that these differences offer a "counterdiscourse" to other penitential prayers from the Second Temple period. She shows how the prayer, a sort of orphan lacking any immediate literary context, raises many questions about *Sitz im Leben*, especially since it appears in the Christian texts the Odes and the *Didascalia Apostolorum*.

The essays in the latter half of the volume are devoted to studies of penitential prayer in the Dead Sea Scrolls, which highlights the extraordinary importance of this corpus for the early history of Jewish prayer: these provide the earliest examples of prayers in collections for liturgical use on specific occasions, including festivals, Sabbaths, and days of the week.

Daniel Falk considers the theoretical foundations for the institutionalization of penitential prayer in the Dead Sea Scrolls. Drawing on Jacob Milgrom's exposition of the אשם (restitution) offering, he shows that there is a Priestly legal tradition in which confession plays a critical role in atoning deliberate sin in the context of the sacrificial cult. This had an influence on the postexilic penitential prayer tradition in general along with the "turn and seek" motif associated with Deuteronomistic sources. He argues that at Qumran there is evidence of distinctive reflection on this Priestly legal tradition, giving weight to the argument that it is an important part of the theory contributing to the development of penitential prayer as a liturgical institution.

Russell Arnold investigates the social function of repentance at Qumran, focusing on the covenant ceremony that has often been included in studies of penitential prayer. He argues that the confession in the covenant ceremony is not truly a penitential prayer, since it lacks a plea for forgiveness or deliverance. Rather, it serves as a rite of passage marking the boundaries of the community. The determinism at Qumran disallows any real role for repentance in obtaining mercy. Atonement is related to membership in the community, whose way of life is perfection. This essay provides an important reminder that prayers are ritual acts with social functions, not merely texts.

Esther Chazon provides a detailed analysis of one critical prayer text—the *Words of the Luminaries*—in order to draw out its implications for the origin, development, and institutionalization of the genre of penitential prayer. She demonstrates that the prayers show many of the characteristic features of penitential prayers, but also important differences, especially less emphasis on confession of sin in favor of greater focus on petition for physical and spiritual needs. Such differences in form, she argues, are due to the adaptation of penitential prayer to new liturgical functions, especially for daily use. This raises the question whether *Words of the Luminaries* is still a penitential prayer or whether it should be regarded as a different genre, a point of disagreement among several of the contributors.

Bilhah Nitzan engages in a broad survey of penitential prayers found at Qumran to trace different strands of tradition among these texts. Her method is to distinguish between motifs that had become traditional for penitential prayer in the Second Temple period—Deuteronomic and Priestly traditions of repentance—and those that are atypical, which can provide hints regarding ideological and historical origins. Some of these atypical motifs are connected with a sectarian ideology, such as a deterministic view of repentance associated with election. Others do not show a sectarian ideology but may point to broader adaptations of penitential prayer, such as suffering without having broken the covenant, sin and suffering as related to demonic activity, and expressions of confident hope.

Because many questions about the definition and the form of penitential prayer emerged from the consultation's discussions and from the essays in these first two volumes, Werline includes an essay on his own reflections about these issues. He approaches the topic by examining material that has stood at the margins of his earlier definition of penitential prayer. He also adds to the discussion an analysis of overlooked texts: apotropaic prayers that intend to ward off demonic powers. Drawing on ritual studies and Bourdieu's theories of experience and practice, he proposes a much more dynamic understanding of penitential prayer—and prayer and liturgy in general—that sees prayer as complex cultural practice. This may help free Second Temple prayer texts from modern scholarly definitions and return them to the contextual needs of the ancient suppliants who constantly reshaped material according to the problems and issues that challenged them.

Eileen Schuller concludes the volume by evaluating the individual and collective contributions to the subject of penitential prayer. She notes the use of more diverse methods—particularly highlighting ritual studies and methods drawn from the social sciences—as a healthy trend bringing fresh insights. Among issues remaining for further work, she emphasizes that it is still difficult to define what texts should be regarded as penitential prayers and advocates less concern with a single definition that groups all these texts but rather more detailed analyses of individual prayers to appreciate the diversity of ways in which penitential traditions are used and adapted.

With her mature perspective on the topic, Schuller thus frames the volume as a whole, providing integrity and closure to the discussion, while suggesting further trajectories for reflection and research. We would like to express our special thanks to Eileen for her supportive participation in the consultation as well as the volume. She provided generous and wise counsel in an early stage of the consultation, and for this we are grateful. Furthermore, we are thankful to all of the other contributors to the present work, who have been patient with the editorial team as the volume took shape.

There are others, however, outside the consultation whom we would like to thank for their help on this volume. As editor of the SBLEJL series and as a member of the steering committee for the SBL Penitential Prayer Consultation,

Judith Newman has offered many helpful suggestions and direction in the course of our editorial work on this volume. We are thankful for her friendship and careful editorial eye.

Thanks are also due to Bob Buller, Leigh Andersen, and the publishing staff at the Society of Biblical Literature for guiding us through the editorial process. We are also grateful for the editorial assistance of Ms. Mary Conway from McMaster Divinity College, who helped bring the manuscript into its final form.

Finally, we are thankful for the Society of Biblical Literature, without whom this book and the foundational consultations would have been impossible. Our hope is that these volumes will be but a springboard for further reflection and scholarship on this rich history of prayer.

Mark J. Boda
Daniel K. Falk
Rodney A. Werline

Penitential Prayer in Second Temple Judaism: A Research Survey

Eileen Schuller

The Consultation on Penitential Prayer has laid out the structure for a rich and challenging program to be pursued over the course of three years. Last year (the first year of the consultation) the focus was on the earliest exemplars of penitential prayer and on the origins, both ideological and form-critical, of this distinctive prayer form; the texts that were studied in detail in specific papers (e.g., Lev 16; Isa 63:7–64:11; Jer 1–12; Joel 1–2; Neh 9; Ezra 9) were all drawn from the Hebrew Bible.[1] In his letter inviting me to be part of the second year of this project, Mark Boda (on behalf of the steering committee) explained that this year we are "to move from a focus on origins in the Babylonian and Persian period to the development of this prayer form throughout the Second Temple period"; the texts that will be treated in individual papers extend beyond the Hebrew Bible to include specific texts from the Apocrypha and Pseudepigrapha and the Dead Sea Scrolls.

I have been assigned the task of presenting an opening paper that will provide the research context for this year's task by surveying previous scholarship that has dealt with penitential prayer beyond the prayers of the Hebrew Bible, extending chronologically into the Greco-Roman period and including a broad corpus of literature from Second Temple Judaism. I was honored to be asked, especially since I come to this consultation as somewhat of an outsider on two accounts: penitential prayer per se has not been my major area of research (if anything, my work has focused more on prayers of praise, specifically the *Hodayot,* that is, the *Thanksgiving Psalms* from the Dead Sea Scrolls); and chronologically, I come from the generation before the "new generation"[2] of scholars whose books

1. The papers from the first year have now been published: Mark J. Boda, Daniel K. Falk, and Rodney A. Werline, eds., *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (SBLEJL 21; Atlanta; Society of Biblical Literature; Leiden: Brill, 2006).

2. To pick up on the language of Samuel E. Balentine, "'I Was Ready to Be Sought Out by Those Who Did Not Ask,'" in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:1, 11.

and articles over the past ten years or so provided the immediate impetus for this project. Because of this, I realize that I may be raising issues that those of you working more specifically within the parameters of the consultation consider obvious or already resolved, or I may be framing the same questions in a somewhat different way. But I hope this slightly different perspective will prove fruitful and contribute toward moving the discussion forward.[3]

Last year Samuel Balentine gave a similar introductory paper to introduce the consultation.[4] This was a perceptive and comprehensive survey that divided the modern study of penitential prayer into two stages: (1) earlier scholarship, especially the pioneering work of Claus Westermann, who situated penitential prayer form-critically within the genre of lament, as the third and latest stage in which the lament genre was transformed by the silencing of complaint and its replacement with an extended confession of sin and explicit acknowledgement of the justice of divine judgment; (2) the research of the "new generation" of scholars over the past decade who paid more attention to issues of traditio-history and the "scripturalization" of prayer, to multiple strands of theological influence (from Deuteronomy but also from the Priestly tradition and Ezekiel), and to what has been called the "institutionalization" of penitential prayer as it came to be associated with fixed times, set formulae and motifs, and specific functions in relationship to atonement. In addition to the detailed study of selected texts, the papers presented in the course of the consultation in that first year continued to reformulate fundamental issues and to open up new areas for consideration about the definition of penitential prayer (Werline), its ideological origins and key theological themes (Boda), and its socio-ideological setting(s) (Rom-Shiloni); both in his introductory essay and in his concluding reflections, Balentine made his own original contribution by urging that the book of Job be brought more directly into the discussion.

In particular, he is referring to the cluster of authors whose books have provided the impetus for this consultation: Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998); Daniel K. Falk, *Daily, Sabbath and Festival Prayers in the Dead Sea Scrolls* (STDJ 27; Leiden: Brill, 1998); Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999); Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999); Richard J. Bautch, *Developments in Genre between Post-exilic Penitential Prayers and the Psalms of Communal Lament* (SBLAcBib 7; Atlanta: Society of Biblical Literature, 2003).

3. This paper was written prior to the second session of the consultation at the 2005 SBL meeting and without having read the papers for that session. It is presented here without extensive revision; further reflections are reserved for my comments in the "Afterword," pp. 227–37 in this volume.

4. Balentine, "I Was Ready to Be Sought Out," 1–20.

When I was actually sitting in the SBL session in Atlanta, and even more so on rereading the papers, I was impressed, on the one hand, with the richness of the topic and the sense that this way of approaching some of these well-known texts had the potential to enable us to read them with new eyes. Yet I had the nagging suspicion that the structure that had been set out for the three-year consultation might prove to be rather too neat and logical. Although the focus in the first year was to be on "earlier" and "biblical" examples of penitential prayer, it soon became apparent that it was virtually impossible to discuss the topic without including the Dead Sea Scrolls and the Apocrypha and Pseudepigrapha; Baruch, Judith, the Prayer of Manasseh, the *Words of the Luminaries*, the *Rule of the Community*, and a host of other texts were all referred to frequently in almost all the papers as an intrinsic part to the discussion, yet, paradoxically, it was clear that the "basic four" texts of the Hebrew Bible—Ezra 9:6–15; Neh 1:5–11; 9:6–37; Dan 9:4–19—were always somehow at the core of the discussion. These were "canonical," not just in our traditional understanding of biblical canon, but as providing (often implicitly) the conceptual framework and structure that was shaping the discussion.

In keeping with the stated focus of this second year, I have tried to do two things in this introductory presentation. In the first part of my paper, I want to say something briefly about how prayer in Second Temple Judaism has been studied by scholars of "early Judaism" (as that term has come to be used, particularly in the post–World War II era, for the study of Judaism from approximately the sixth century B.C.E. to the first century C.E.).[5] For the second part of my paper, my first thought was that I might provide a helpful service by setting out a comprehensive list of penitential prayers from the Second Temple period—especially when I did not readily find a standard and complete list in my reading of the scholarly literature. This proved to be a much more problematic task than I first imagined, and in the end I gave it up and have not produced such a list. But it may be helpful to reflect on the attempt and why I concluded that I should not necessarily focus on producing a list at this time.

The Study of Prayer in Second Temple Period

It has frequently been observed that in the modern study of the Hebrew Bible relatively little attention has been paid—at least until quite recently—both to the overall topic of prayer and to those specific passages (apart from the Psalter) that

5. Here I insert the usual caveat—and so very true in this case—that I have not attempted to be comprehensive and complete in my survey. For a somewhat lengthier survey, see Newman, "Appendix: A Selective History of Scholarship on Prayer and Liturgy," in *Praying by the Book*, 221–41.

contain the actual words of prayers.[6] The observation can be made even more pointedly about the study of prayer and prayer texts from Second Temple Judaism. In the pre–World War II era, when there was no such academic field of study as "early Judaism" and scholarly work was focused almost exclusively on the biblical canon, it was perhaps not surprising that there was little interest in the prayers that were contained in other literary sources from the period, including the Apocrypha and Pseudepigrapha, Josephus, and Philo. The occasional monographs and articles that appeared were usually highly specialized and often had limited influence and circulation.[7] The publication in 1954–1955 of the *Hodayot*, the large scroll of thanksgiving psalms from Cave 1 at Qumran, provided a whole new corpus of some thirty or forty previously unknown poetic texts,[8] and very quickly a series of commentaries appeared on this specific collection.[9] But for the most part, the *Hodayot* were treated as part of "Qumran studies," and only a very few scholars had either the competence and/or the interest to try to relate these new texts to the psalms and prayers already known from the Apocrypha and Pseudepigrapha.[10]

Thus, on the occasion of the one-hundredth anniversary of the SBL, when contributors were invited to assess scholarship from the 1940s to 1980 on specific topics in the study of early Judaism, James Charlesworth, in writing the relatively brief chapter on "Hymns, Odes and Prayers," found little to summarize;

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6. For example, the comment of Ronald E. Clements, *In Spirit and in Truth: Insights from Biblical Prayers* (Atlanta: John Knox, 1985), 13: "In view of the fact that so much attention has been devoted by scholars to the study of the Psalter … it is surprising that so little attention has been given to the study of the non-Psalmic prayers of the Bible." Moshe Greenberg (*Biblical Prose Prayer as a Window to the Popular Religion of Israel* [The Taubman Lectures in Jewish Studies, Sixth Series. Berkeley and Los Angeles: University of California Press, 1983]) illustrated how this material might be approached and why it is important, and Patrick Miller (*They Cried to the Lord: The Form and Theology of Biblical Prayer* [Minneapolis: Fortress, 1994]) and Samuel Balentine (*Prayer in the Hebrew Bible: The Drama of Divine-Human Dialogue* [Minneapolis: Fortress, 1993]) have now given us comprehensive studies.

7. For example, Herman Ludin Jansen, *Die spätjudische Psalmendichtung, ihr Enstehungskreis und ihr "Sitz im Leben": Eine literaturgeschichtlich-soziologische Untersuchung* (Oslo: Dybwad, 1937); Norman B. Johnson, *Prayer in the Apocrypha and Pseudepigrapha: A Study of the Jewish Concept of God* (SBLMS 2; Philadelphia: Society of Biblical Literature, 1948).

8. Eliezer Sukenik, *Otsar ha-megilot ha-genuzot* (Jerusalem: Magnes, 1954); idem, *The Dead Sea Scrolls of the Hebrew University* (Jerusalem: Magnes, 1955).

9. Especially the commentaries of Jacob Licht, *The Thanksgiving Scroll: A Scroll from the Wilderness of Judaea* [Hebrew] (Jerusalem: Bialik Institute, 1957); Menahem Mansoor, *The Thanksgiving Hymns* (STDJ 3; Leiden: Brill; Grand Rapids: Eerdmans, 1961); Svend Holm-Nielsen, *Hodayot: Psalms from Qumran* (ATDan 2; Aarhus: Universitetsforlaget, 1960); Johann Maier, *Die Texte vom Toten Meer* (2 vols.; Munich: Reinhardt, 1960); Pierre Guilbert and Jean Carmignac, *Les textes de Qumrân traduits et annotés* (Paris: Letouzey et Ané, 1961).

10. For one such attempt, see Svend Holm-Nielsen, "Religiöse Poesie des Spätjudentums," *ANRW* 19.1:152–86.

he devoted much of the essay to lamenting the current state of scholarship on this topic:

> No handbook or synthesis is available as an introduction to this area of historical study. Certainly we have no comprehensive survey of early Jewish hymns and prayers.… Few of the extant early Jewish hymns and prayers have been analyzed and examined with the sophisticated methods developed in the study of the Psalter, and this procedure must precede any synthesis of research on them. Hence we cannot speak of schools of scholars or of chronological phases of research.… No one has yet attempted to write the history of liturgy in early Judaism.[11]

Charlesworth made an important step forward in attempting to compile, for the first time, a comprehensive list of all the hymns and prayers that he could collect. But his categories, the classification of specific texts, and the selection of what was to be included and excluded are somewhat eccentric and have not proven to be a useable model for further development.[12]

A few years later, David Flusser undertook a similar comprehensive survey of "Psalms, Hymns and Prayers" as part of a larger overview of Jewish writings from the Second Temple period.[13] In terms of scope, his survey was more focused in that (unlike Charlesworth) he did not attempt to include early rabbinic material, but he did include a much broader selection of Qumran materials. He recognized the "problem of presentation" in covering such diverse materials and chose to alternate between treating prayers in a specific book (*4 Ezra*, *2 Baruch*, Pseudo-Philo) and specific types of prayers (eschatological psalms, apotropaic prayers, mystical prayers) as they are found in a variety of books and contexts. Flusser delineated a major category as "Prayers in Distress (*Tahanunim*)," which combine supplications for God's help and remembrance of God's saving deeds. He noted that "this pattern becomes more specific when a third element is added: the repentance of the people and its prayer for forgiveness."[14] Thus he grouped together in this subcategory within petitionary prayer Neh 9, Ezra 9, and Dan 9, the *Words of the Luminaries*, the prayers in the Greek additions to Esther, the

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11. James H. Charlesworth, "Jewish Hymns, Odes, and Prayers (ca. 167 B.C.E.–135 C.E.)," in *Early Judaism and Its Modern Interpreters* (ed. Robert A. Kraft and George W. E. Nickelsburg; SBLBMI 2; Atlanta: Scholars Press, 1986), 411–36, here 411, 422.

12. Ibid., 424–25. His basic categories were "Early Jewish Hymns" versus "Early Nonrabbinic Jewish Prayers," so penitential texts were separated quite artificially (e.g., Bar 1:15–3:8 came in category 1, the Prayer of Manasseh in category 2).

13. David Flusser, "Psalms, Hymns and Prayers," in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (ed. Michael Stone; CRINT 2/2; Philadelphia: Fortress, 1984), 551–77. Although Charlesworth's survey was actually published two years later (1986), it had been submitted in 1981 and was not updated beyond that point.

14. Ibid., 571.

Prayer of Azariah, and Bar 2:6–3:8 and looked ahead to the later *Tahanun* prayer of the synagogue.

A book from this earlier period (published in Hebrew in 1964, in English in 1977) that attracted considerable interest even though dealing with a different body of texts was Joseph Heinemann's *Prayer in the Talmud*.[15] In looking at the prayers that are to be found in the Talmud, Heinemann situated penitential/confessional prayers as a subcategory of petitionary prayers that are primarily private/nonobligatory (as distinct from statutory public worship). Heinemann saw the overarching framework as a "law court" model in which supplicants must present and plead their cases. Such prayers contain confession of sin, acceptance of the divine judgment, a plea for mercy, and sometimes the promise that the supplicant's misdeeds will not be repeated; in these routine daily prayers, "the sense of personal guilt is intermingled with a feeling that the sin is not so much the result of personal culpability as it is of the inherent weakness in all mankind and that the petitioner has a right to expect clemency and forgiveness."[16] What is interesting for our purposes is that Heinemann looked to the psalms and to the confessions of Jeremiah for his biblical models for such penitential prayers much more than to the prayers of Nehemiah, Ezra, and Daniel.

In the last twenty years, there has been considerably more interest in prayer in early Judaism, and this is reflected in an increased number of recent publications, all with different approaches and emphases. The monographs of Boda, Werline, Newman, Falk and Bautch (see note 3) that were summarized and discussed in last year's session (and hence will not be treated in detail here) are clearly part of this renewed interest; they are distinctive and interrelated in that they treat roughly the same body of texts, although each of these monographs originated quite independently. Specific studies of newly published texts from the Dead Sea Scrolls are another interrelated bloc, and I will look at some of these more specifically in a moment. Detailed analytical studies of all the prayers in a specific author or work are still appearing; the prayers of Josephus have recently been the object, for the first time, of a comprehensive study,[17] and there is more to be done to provide this sort of foundational analysis of the prayers in smaller texts such as Pseudo-Philo's *Biblical Antiquities*. In addition, a number of recent overviews have appeared to update the earlier comprehensive-type surveys of Charlesworth and Flusser. It is most interesting to stop and observe how penitential prayer has been treated (or not treated) in three or four such recent general studies.

Within the Society of Biblical Literature, the study of prayer was carried forward between 1989 and 2002 in the "Prayer in the Greco-Roman World" Con-

15. Joseph Heinemann, *Prayer in the Talmud: Forms and Patterns* (SJ 9; Berlin: de Gruyter, 1977).

16. Ibid., 198.

17. Tessel Marina Jonquière, *Prayer in Josephus* (AGJU 70; Leiden: Brill, 2007).

sultation and Working Group, which had as its mandate "to explore prayer texts from Alexander to Constantine in a historical-critical mode." This project produced a significant (although limited) bibliography on prayer (up to about 1991)[18] and an anthology of fifty representative prayer texts with brief commentary on each.[19] The bibliography is not arranged according to genre, so it is hard to know if there was any sense of penitential prayer as a category. In the anthology, seven prayers were selected from the Apocrypha and Pseudepigrapha to represent the flavor and diversity of the corpus, including the prayer of Aseneth from *Jos. Asen.* 12–13. In this Hellenistic-Jewish romance, the Gentile Aseneth addresses the God of Israel, confesses her sinfulness, and pleads for mercy, as she fasts and repents in sackcloth and ashes for seven days. The editor, Randall Chesnutt, calls for "careful form-critical and traditio-historical analyses of the prayer … in connection with the surprisingly large group of other prayers of confession, lament and petition which are embedded within narrative works from the period."[20] He associates this prayer of Aseneth with the penitential prayers in Ezra 9, Neh 9, and Dan 9 as well as with a much longer list of more general petitionary prayers (Jdt 9; 1 Macc 3:50–3; 4:30–33; 3 Macc 2:2–20; 6:2–15; *Jub.* 10:3–6; *2 Bar.* 48:2–24; 54:1–22; Prayer of Manasseh, and two prayers in Josephus, *Ant.* 2.334–337, 4.40–50). In his very brief notes, Chesnutt does not use the specific terminology of "penitential prayer," and (in light of the list that he gives) he seems to be thinking in terms of a broader category, with petition being the defining factor.

In 2003, the newly formed International Society for Deuterocanonical and Cognate Literature (ISDCL) devoted its inaugural conference in Salzburg to the topic of prayer, and the conference papers were quickly published.[21] While a number of papers treated specific passages that have sometimes shown up in lists of penitential prayers (Jdt 9; 3 Macc 2:1–20; Tob 3:1–6[22]) and while the works of Werline and Newman are included in the bibliography, I did not get the sense (either from the papers or in the sessions themselves) that in this largely

18. James H. Charlesworth with Mark Harding and Mark Kiley, *The Lord's Prayer and Other Prayer Texts from the Greco-Roman Era (*Valley Forge, Pa.: Trinity Press International, 1994). The bibliography, produced by Mark Harding, covers the Hebrew Bible and Jewish materials on pages 103–78.

19. Mark Kiley et al., eds., *Prayer from Alexander to Constantine: A Critical Anthology* (London: Routledge, 1997).

20. Randall Chesnutt, "Prayer of a Convert to Judaism," in Kiley et al., *Prayer from Alexander to Constantine,* 65–72.

21. Renate Egger-Wenzel and Jeremy Corley, eds., *Prayer from Tobit to Qumran: Inaugural Conference of the ISDCL at Salzburg, Austria, 5–9 July 2003* (Berlin: de Gruyter, 2004).

22. See especially Alexander DiLella, "Two Major Prayers in the Book of Tobit," 95–116; Pancratius C. Beentijes, "Bethulia Crying, Judith Praying, Context and Content of Prayers in the Book of Judith," 231–54; Jeremy Corley, "Divine Sovereignty and Power in the High-Priestly Prayer of 3 Macc 2:1–20," 359–88.

European environment it was being assumed that penitential prayer was to be considered a distinctive category that might inform or shape the discussion.

Stefan Reif's survey of prayer in Second Temple Judaism comes as the second chapter of a book that traces the development of Jewish prayer from the Hebrew Bible to modern times.[23] Writing before any of the major monographs of the "new generation" of penitential prayer scholars were published, Reif is particularly attentive to the Nehemiah-Ezra-Daniel complex of long prose prayers (also linking with 1 Kgs 8:22–53) and to references to occasions of fasting and prayer in times of special distress as a probable liturgical context for such developments in the late Second Temple period. He notes that "while certain individual aspects of the worship described may be found earlier it is only these late sources that contain lengthy and complex amalgams of so many such elements."[24] Furthermore, he discerns certain changes in theological ideas and emphases in terms of human sinfulness versus divine attributes and reward and punishment versus the inscrutability of divine actions, and suggests that some of these ideological changes and even some of the newer liturgical forms may reflect influences from the external Persian/Hellenistic milieu. Such attention to broader cultural, specifically non-Jewish, influences might be a fruitful avenue for this consultation to explore in greater detail; Reif readily admits that "the required research has not yet been undertaken."[25]

Undoubtedly there are other surveys and articles that could be brought into the discussion, such as a recent collection specifically of prayers attributed to Jewish women.[26] Clearly, some of the surveys we have discussed (the SBL consultation, Reif) predate the work of the "new generation" that brought to the fore penitential prayer as a major category, but even in the most recent works (the ISDCL volume, McDowell[27]) I did not get the sense that "penitential prayer"—in the way it is being defined by this consultation—is fully established or the norm as a working category when prayer in Second Temple Judaism is discussed.

Finally, let me make a few brief comments specifically on research on prayer as found in the Dead Sea Scrolls. Once we move beyond a few large scrolls (the *Hodayot* manuscript from Cave 1[28] and the Psalms Scroll from Cave

23. Stefan C. Reif, *Judaism and Hebrew Prayer: New Perspectives on Jewish Liturgical History* (Cambridge: Cambridge University Press, 1993).

24. Ibid., 39, also 40–41, 45, 59.

25. Ibid., 44.

26. Markus H. McDowell, *Prayers of Jewish Women: Studies of Patterns of Prayer in the Second Temple Period* (WUNT 2/211; Tübingen: Mohr Siebeck, 2006).

27. Ibid., the subject index has only two entries for "Penitential." In the first, it adopts the terminology of penitential prayer only for the Prayer of Manasseh (17); the second entry (213 n. 43) is a brief reference to the work of this consultation and the "growing interest in penitential prayer."

28. See note 8 above.

11[29]), much of the prayer material, especially the smaller and more fragmented bits and pieces, has been published in a very scattered way over many decades, by many different editors, much of it not until well into the 1990s. Thus, not surprisingly, it has taken some time to realize the extent and significance of this body of material.[30] If ten years ago the study of Qumran liturgy was still "in its infancy," as Lawrence Schiffman described it in a much-quoted statement,[31] we are now still only at an early stage of studying and understanding many of these finds. In terms of quantity, the figure most often quoted is that given by Esther Chazon: "more than 300 psalms, hymns, and prayers," which includes "copies of portions of some 125 biblical psalms," and psalms and prayers in a few manuscripts from Masada and Nahal Hever;[32] the exact counting can be done in different ways, and figures could vary, but we are clearly dealing with a significant body of material. Fortunately, over the past decade or so there have been a number of major articles plus at least three books that have surveyed this whole corpus or specific aspects thereof, and so I do not think there is the need to produce yet another general summary or overview in the context of this paper.[33]

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29. James A. Sanders, *The Psalms Scroll of Qumran Cave 11 (11QPs[a])* (DJD IV; Oxford: Clarendon, 1965).

30. The liturgical and prayer material is to be found mainly in Maurice Baillet, *Qumran Grotte 4.III (4Q482–4Q520)* (DJD VII; Oxford: Clarendon, 1982); Esther Eshel et al., *Qumran Cave 4.VI Poetical and Liturgical Texts, Part 1* (DJD XI; Oxford: Clarendon, 1998); Esther G. Chazon et al., *Qumran Cave 4.XX: Poetical and Liturgical Texts, Part 2,* (DJD XXIX; Oxford: Clarendon, 1999); Philip S. Alexander et al., "Miscellanea," in Stephen J. Pfann et al., *Qumrân Cave 4.XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD XXXVI; Oxford: Clarendon, 2000); and Eileen Schuller et al., *Qumran Cave 4.XXVIII: Miscellanea, Part 2* (DJD XXVIII; Oxford: Clarendon, 2001).

31. Lawrence H. Schiffman, "The Dead Sea Scrolls and the Early History of Jewish Liturgy," in *The Synagogue in Late Antiquity* (ed. Lee I. Levine; Philadelphia: ASOR, 1987).

32. Esther G. Chazon, "Hymns and Prayers in the Dead Sea Scrolls," in *the Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1998), 1:244, 258.

33. For example, see, in addition to the survey in note 32, Esther G. Chazon, "Psalms, Hymns and Prayers," in *Encyclopedia of the Dead Sea Scrolls* (ed. Lawrence H. Schiffman and James C. VanderKam; 2 vols.; Oxford: Oxford University Press, 2000), 2:710–15; Eileen M. Schuller, "Prayer, Hymnic and Liturgical Texts from Qumran," in *The Community of the Renewed Covenant* (ed. James C. VanderKam; Notre Dame, Ind.: University of Notre Dame Press, 1994), 153–71, updated in "Prayer in Qumran," in *From Tobit to Qumran*, 411–28; also idem, "Worship, Temple and Prayer in the Dead Sea Scrolls," in *The Judaism of Qumran: A Systematic Reading of the Dead Sea Scrolls* (part 5 of *Judaism in Late Antiquity*; ed. Alan J. Avery-Peck, Jacob Neusner, and Bruce D. Chilton; HO 56–57; 2 vols.; Leiden: Brill, 2001), 1:125–44. The major book-length studies are by Bilhah Nitzan, *Qumran Prayer and Religious Poetry* (STDJ 12; Leiden: Brill, 1994); Falk, *Daily, Sabbath and Festival Prayers;* and Russell C. D. Arnold, *The Social Role of Liturgy in the Religion of the Qumran Community* (STDJ 60; Leiden: Brill, 2006).

Looking back over the last decade or so, it is interesting to observe how penitential prayer has gradually emerged as an operative category in thinking about the prayer materials from the Dead Sea Scrolls. When Esther Chazon tackled the first really comprehensive survey (1994) and had to find a way to categorize this enormous corpus, she divided it into seven categories: liturgies for fixed prayer times; ceremonial liturgies; eschatological prayers; magical incantations; psalmic collections; *hodayot*; and prayers embedded in narrative.[34] Works that we are now being invited to think about as distinctively penitential prayers were scattered among various categories; for example, the *Words of the Luminaries* and the *Festival Prayers* were treated as liturgies for fixed prayer times; the covenant-renewal ceremony (1QS I–2) came under ceremonial liturgies. Similarly when Bilhah Nitzan (1994) studied these same texts, she treated the *Words of the Luminaries* under the title "Fixed Supplications (*Tehinnot)* from Qumran" and emphasized their petitionary character; the covenant-renewal ceremony was treated mainly under "Blessings and Curses," and this was the aspect emphasized.[35] When Daniel Falk (1998) first turned his hand to a comprehensive survey, he too divided the material according to usage: Prayer at Fixed Times; Prayers for Ritual; Eschatological Liturgies and Blessings; and the general catch-all Miscellaneous Prayers and Religious Poems.[36] Although Falk put considerable emphasis on the uniqueness of the introduction of a confession of sin into a covenant-renewal ceremony and the occurrence of penitential themes in the *Festival Prayers* and the *Words of the Luminaries*, he had no separate category of penitential prayer and placed a text such as 4Q393 *Communal Confession* under the overall rubric of "Petitionary Prayers." It is only in a later and somewhat different type of survey (2001) that Falk developed "Penitential Supplications" as the overriding category and included under this the *Words of the Luminaries, Communal Confession*, and the covenant-renewal ceremony.[37] Although I will return to the question of the classification of texts again in the final part of my paper, my point here is that within the broader context of Dead Sea Scrolls study it has not been customary or obvious to read the *Words of the Luminaries*, the covenant-renewal ceremony in 1QS, or even 4Q393 *Communal Confession* through the lens of a category of penitential prayer.

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34. This first version of an overall survey was "Prayers from Qumran and Their Historical Implications," *DSD* 1 (1994): 265–84. With only minor variations and additions, Chazon has kept this same division in the 1998 survey (see note 33) and 2000 (see note 34).

35. Nitzan, *Qumran Prayer and Religious Poetry*, 89–117 and 119–44.

36. Daniel K. Falk, "Prayer in the Qumran Texts," in *The Cambridge History of Judaism, Volume 3: The Early Roman Period* (ed. William Horbury, W. D. Davies, and John Sturdy; Cambridge: Cambridge University Press, 1999), 852–76.

37. Daniel K. Falk, "Psalms and Prayers," in *Justification and Variegated Nomism* (ed. D. A. Carson, Peter O'Brien, and Mark A. Seifrid; WUNT 2/140; Tubingen: Mohr Siebeck; Grand Rapids: Baker, 2001), 7–17.

One distinctive element that the Qumran materials have brought to the broader discussion of penitential prayer is the sense that finally we have some sort of context, a S*itz im Leben* for penitential prayer. The *Words of the Luminaries* are generally associated with daily recitation in a weekly cycle, one prayer for each day of the week, according to the heading preserved for Sabbath (הודות ביום השבת 4Q504 frg. 1–2 vii 4[38]), the heading fragmentarily preserved for Wednesday's prayer (תפלה ביו]ם הרביעי 4Q504 frg. 3 ii 5), and similar headings reconstructed for other days. *Rule of the Community* 1:16 situates the remembrance of past history and the confession of sin within the context of a liturgical ceremony for the entrance of new members into the community and a renewal ceremony held annually for all members: "they shall act in this way year after year" (1QS 2:19). A text such as the *Communal Confession* (4Q393) is not linked to any specific occasion, but with its generic biblical language and the use of the Tetragrammaton, it is assumed to have originated in nonsectarian circles and could have been used in any number of situations of distress or at the time of fasts and festivals.[39] While most of the other examples of penitential prayers in Second Temple period come to us only via a literary text,[40] the Qumran material at least opens up the possibility of a different type of discussion about possible liturgical contexts for prayers of this genre.[41]

As I draw this quick survey to a close, two points seem obvious. (1) When we move beyond the canon of the Hebrew Bible and into the Greco-Roman period, we do have a great deal of prayer material, if we put together everything from all the caves of the Judean Desert plus all the prayers and hymns that appear in the Apocrypha and Pseudepigrapha, plus prayers in Philo and Josephus. Yet Werline's observation from some ten years ago still stands: "scholars have yet to offer a systematic analysis of this material."[42] Penitential prayer is only one small

38. There are also traces of another word that was written and probably then erased, possibly שׁיר "song."

39. See the discussion of Daniel K. Falk, "4Q393: A Communal Confession," *JJS* (1994): 184–207.

40. The Scrolls may give some hints about the possible "real-life" usage even of some prayers that also have a literary context. For example, a manuscript such as 4QDan[e] (4Q116) with its large letters and small columns of only nine lines probably contained only the prayer of Dan 9:4–19 (not the whole book of Daniel). This suggests that this prayer was written on such a small scroll that could be easily carried and used for personal prayer; see Eugene Ulrich, "4Q116. Daniel[e]," in idem et al., *Qumran Cave 4.XI: Psalms to Chronicles* (DJD XVI; Oxford: Clarendon, 2000), 286–89.

41. But it is important to keep in mind the limitations of what we actually know for certain and when we pass into the realm of suppositions. For example, we have textual evidence that specific sections in the *Words of the Luminaries* were allotted to specific days of the week, not that the prayers were actually recited communally, either once or twice a day, every week (or possibly for one week of the year?).

42. Werline, *Penitential Prayer*, 1.

piece, but at this time it cannot easily be set within the context of Second Temple prayer as a whole precisely because so much work remains to be done on most of the individual texts and on how to conceptualize our understanding of prayer practices and genres as a whole, especially as we move into the later stages of the Second Temple period.

(2) While all scholars would recognize that there are prayers in Second Temple Judaism that deal with confession of sin and motifs of repentance, not everyone uses the terminology of "penitential prayer" nor thinks in terms of this as a self-evident category. Perhaps the impact of this consultation may well be to effect a change in this regard, but at present it may be helpful if those working within the framework of this consultation are aware that not everyone shares the same starting point and terminology.

Categorization of Penitential Prayers

In my survey of the scholarly literature, it gradually became clearer to me that the question of what texts precisely are being considered under this rubric of "penitential prayer" is, in practice if not in theory, somewhat less clearly defined and agreed upon than I had assumed at first glance. This became apparent when I compared the "working lists" of various scholars. Of course, the question of what we should be comparing cannot be dependent simplistically on nomenclature. That is, while the "new generation" of scholars (Boda, Werline, Bautch) is quite consistent in using the terminology of "penitential prayers," other scholars might—and do—adopt a slightly different designation—"prayers of repentance" or "prayers of confession"—to talk about basically the same phenomenon. Thus, I tried to focus not so much on what specific prayers were being called but rather to look at lists of texts beyond the Hebrew Bible that in recent scholarly discussions are grouped together with and considered to exhibit the same defining features (both form-critically and ideologically) as the "core three" of the Hebrew Bible: Neh 9, Ezra 9, and Dan 9.

It is instructive to return to the earlier analysis of Claus Westermann that stands behind so much recent work. Already in his 1954 article[43] he extended the study of lament beyond the Hebrew Bible and surveyed the whole of Apocrypha and Pseudepigrapha as it was known to him through the standard German translation of Kautsch, *Die Apokryphen und Pseudepigraphen des AT* (1900).[44]

43. Claus Westermann, "Struktur und Geschichte der Klage im Alten Testament," *ZAW* 66 (1954): 44–80, trans. as "The Structure and History of the Lament in the Old Testament," in idem, *Praise and Lament in the Psalms* (trans. Keith R. Crim and Richard N. Soulen; Atlanta; John Knox, 1981).

44. According to the translator's note at *Praise and Lament*, 201 n. 87. I find no hint that Westermann looked at any of the Dead Sea Scrolls material, which would have been just appearing at that time.

Westermann acknowledged, on the one hand, that in postcanonical literature the confession of sin becomes widespread; indeed, it is "totally absent in only a few of these late prayers."[45] But he delineated a distinctive category of prayers of repentance (basically his equivalent for penitential prayers) that is distinguished by extended and repeated confession of sin and petition for forgiveness, so that "the lament is replaced by the confession of sins." He found no examples in the Psalter, the first appearance in the "late prose prayers as in Neh 9 and Dan 9," and then four other exemplars of these "genuine prayers of repentance" in 1 Esd (3 Ezra) 8:73–90; the Prayer of Manasseh; *Pss. Sol*. 9; and Bar 1:15–3:8.[46]

Westermann readily acknowledged that there is a much larger group of prayers that contain confession of sin (sometimes extensive and repetitive) but in which confession is only one element, combined with lament and the explicit acknowledgement of God's righteousness. Thus he examined such texts as the LXX Addition to Esther C, the Prayer of Azariah; 3 Macc 2:2–20 and 6:1–15; Tob 3; Jdt 9; and *Pss. Sol.* 2; 7; 8 as examples that either combine confession and lament or are totally petitionary. Moreover, Westermann was very cognizant that lament continued to survive, especially in historical and apocalyptic contexts, in texts such as Bar 4–5; 1 Macc 2–3; *2 Baruch*; and *4 Ezra*. But for Westermann, these latter prayers are kept distinct from his much smaller category of prayers of repentance.

In much of subsequent scholarly discussion, what Westermann set up as four categories has tended to become merged into one more extensive list. For instance, already some thirty years ago (1977) John Collins grouped together the three core prayers—Neh 9; Ezra 9; Dan 9—with Bar 1:5–3:8; Prayer of Manasseh; the LXX prayer of Esther; 3 Macc 2:1–20; and Tob 3:16 and added to the list also some texts from the Dead Sea Scrolls: the *Words of the Luminaries*; 1QS 1:24–2:1; and CD 20:28–30.[47] Much the same list has been reproduced, with small additions or deletions,[48] by scholars such as Flusser, Werline, Falk, Bautch and Chesnutt.

As more texts are added, what is considered essential for a prayer form to be associated with Ezra 9, Neh 9, and Dan 9 becomes more ambiguous. For example, how important is it that the specific vocabulary of confession be used, especially the verb להתודה? Although התודה appears only once in the actual body of the prayer (Neh 1:6), its occurrence in the surrounding literary context (Ezra 10:1; Neh 9:2; Dan 9:4, 20) has often been highlighted as a significant and a concrete

45. Westermann, *Praise and Lament,* 206

46. It is not clear to me why Westermann did not include Ezra 9 with Neh 9 and Dan 9 and instead focused on 1 Esd (3 Ezra) 8:73–90.

47. John J. Collins, "Excursus on the Prayer in Daniel 9," in *The Apocalyptic Vision of the Book of Daniel* (ed. John J. Collins and Carolyn E. Bowser; HSM 16; Missoula, Mont.: Scholars Press, 1977), 185–88.

48. The *Psalms of Solomon* and *Joseph and Aseneth* may or may not be included as well as Jdt 7 and 9.

verbal link to the priestly tradition.[49] The verb occurs in a few of the proposed noncanonical penitential texts (e.g., Bar 1:14; 1QS 1:24; CD 20:18; *Pss. Sol.* 9:6), but its nonoccurrence is rarely commented upon in discussions of other texts. Similarly, the element of praise at the beginning of the prayer is one of the distinctive features of Ezra 9, Neh 9, and Dan 9. Westermann emphasized that the combination of introductory praise (including an extended address to God with multiple titles) with lament/confession was in marked contrast to earlier Hebrew prayer, which maintains a strict distinction between praise and lament. In some of the noncanonical texts, praise and divine titles also shape the introduction (e.g., Pr Azar 3–5; 3 Macc 2:2; Esth [LXX] 14:3). However, in many cases these elements are totally absent; the *Words of the Luminaries*, for instance, begins directly with the petition "Remember, O Lord" and Baruch with the confession of divine righteousness (1:15).

The question quickly becomes: Which of these features are to be considered constitutive?[50] If some are missing, when is it no longer appropriate to see the same prayer form? How elastic and fluid is the category of penitential prayer? It is my impression that the problem has been recognized most explicitly when the passage in 1QS 1:18–2:15 is brought into the discussion. Although the formulaic "We have committed iniquity, we have transgressed, we have sinned, we have acted wickedly" (1QS 1:24) is a clear confession of sin, the passage as a whole is clearly different from what is demanded by standard definitions and lists of constitutive features of penitential prayer: God is not addressed directly but in the third-person language, and there is no explicit petition for forgiveness. Even those scholars who are set on including this passage in their discussion of penitential prayer end up admitting that it can be included only by way of extension. Werline acknowledges that 1QS "has taken components found in many penitential prayers—acclamation of God's saving deeds, recitation of Israel's sins, and confession of sins—and transformed them into a liturgy. Still, we have left penitential prayer and moved into a different genre."[51] Even Falk, who has been largely responsible for drawing out the penitential dimensions of the entrance into the covenant and covenant renewal, admits that "the one exception is 1QS 1:18–4:4, where the prayer form is significantly modified."[52] But if we need to talk of "significant modification," has the collection of texts that we want to call penitential prayers become too disparate? Or do the similarities outweigh the differences?

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49. Boda, *Praying the Tradition,* 28.

50. Bautch, *Developments in Genre*, has discussed differences in the relationship between confession and sin and the motivations for God to act in six of the noncanonical prayers; see especially 144–45.

51. Rodney A. Werline, "Defining Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:xvi.

52. Daniel K. Falk, "Psalms and Prayers," 9 n. 6.

Given that it may seem that I am suggesting a certain rigidity and tightening of boundaries, paradoxically I would want to suggest, on the other hand, that for the present we probably need to keep our list open-ended, allowing the possibility that there may be still more texts that should be included. Some of the texts "on the fringes" certainly need more attention, such as the prayer of Aseneth in *Joseph and Aseneth* or Ezra's prayer in *4 Ezra* 8:19–36.[53] From the Dead Sea Scrolls, there are a number of shorter, more fragmentary texts that certainly deserve a closer look; the "Prayer of Manasseh When the King of Assyria Took Him Prisoner" (4Q381 33:7–11) is an obvious suggestion, although, unfortunately, we may never be able to say much definitively about texts that are so fragmentary.[54]

Many of these questions and observations bring us back to the fundamental issue of a specific prayer form of penitential prayer. When I began this paper, I was quite happy to accept Balentine's optimistic assurance that "the definition of penitential prayer is a less vexing task than that which perplexed a previous generation, which struggled for clarity and precision on what constituted prayer more broadly conceived."[55] Now I am not so sure. There is an advantage to being inclusive and broad in our categorization and not narrowing our horizons too quickly, lest we lose sight of key developments in the Second Temple period. However, there is also a danger that we will miss precisely the key distinctions and developments if we loosely bunch together every text that deals with confession of sin or penitential motifs. This ambiguity about the definition and parameters of the corpus of penitential prayer in Second Temple Judaism is part of the challenge of the research context in this second year of the consultation. I eagerly look forward to what our presenters will have to say about these and other new questions that we still need to articulate and examine.

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53. This prayer has rarely been brought into the discussion. Michael E. Stone claims that "The prayer contains the same elements of doxology, confession and petition that occur in other earlier prayers, strikingly in Ezra 9, Nehemiah 9 and Daniel 9" (*Fourth Ezra: A Commentary on the Book of Fourth Ezra* [Hermeneia; Minneapolis: Fortress, 1990], 271). Some of these features were observed in the brief study of Daniel Boyarin, "Penitential Liturgy in 4 Ezra," *JSJ* 3 (1972): 30–34.

54. As an example of some very fragmentary bits, Joseph M. Baumgarten suggested (in an unpublished communication) that the small, single fragment 4Q468i might be from a penitential prayer, noting similarities to Neh 9:15 and the *Words of the Luminaries*; the fragment is now published by Armin Lange under the title "4QSectarian Text?" in Stephen J. Pfann et al., *Qumran Cave 4 XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD XXXVI; Oxford: Clarendon, 2000), 416–17.

55. Balentine, "I Was Ready to Be Sought Out," 17.

Prayer, Politics, and Social Vision in Daniel 9

Rodney A. Werline

Introduction

Our recent examinations of penitential prayer have primarily employed form, redaction, tradition, and canonical criticisms.[1] As a result, clear inroads are established into the development of the literary forms of these prayers, as well as their relationships to lament, various liturgical pieces, and authoritative traditions. The intrinsic qualities of penitential prayers readily lent themselves to these analyses, for the prayers showcase a staggering number of allusions to material that appears in other texts, both canonical and noncanonical. Further, dates for the prayers range from the Persian to the Roman periods, which permits observations of the ways in which authors over time adapted the prayers to new settings. Logically and expectedly, these literary methods have led to conclusions and results that are primarily literary; that is, we have been producing literary histories of the phenomenon of penitential prayer. Along with this, our conclusions have mostly considered penitential prayers for the content of their ideas and the world of ideas from which they spring.

However, knowledge about the literary forms, the development of prayer traditions, the basic relationship between the prayers and their basic historical settings, and the content of their ideas—as crucial as such knowledge is!—is not the end of what one can learn about penitential prayers. Many questions and issues remain unexplored. Recent studies in sociology and anthropology, especially its subdiscipline ritual theory, offer new methods and theories for examining the dynamic role that penitential prayer played for those who drew on and practiced

1. See Mark J. Boda, *Praying the Tradition* (BZAW 277; Berlin: de Gruyter, 1999); Richard J. Bautch, *Developments in Genre between Post-exilic Penitential Prayers and the Psalms of Communal Lament* (SBLAcBib 7; Atlanta: Society of Biblical Literature, 2003); Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999); Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998); Daniel K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (STDJ 27; Leiden: Brill, 1997).

this ritual.[2] More than simply a collection of ideas, the prayers *are* one way in which people interacted within culture, enacted culture and related to various social power structures. While most penitential prayers in Second Temple literature occur within a fictive narrative—the exception is the Dead Sea Scrolls—they at least in some way imitate the actual practice of the prayers.

Prayers and penitential prayer especially are complicated and complex cultural practices. They may display perceptions and negotiations of power relations, interpretations of history, critiques of leadership and various policies, conceptions about time and space, constructions of social boundaries, among many other possibilities. Further, prayer is a socioreligious action and performance that achieves one or more religious ends and enacts, or socially maintains, a balance between various social entities and between heaven and earth. *Doing* the ritual, in part, *is* culture and *is* social interaction, as Roy A. Rappaport states:

> [W]e must not lose sight of the fundamental nature of what it is that ritual does as a logically necessary outcome of its form. In enunciating, accepting and making conventions moral, ritual contains within itself not simply a symbolic representation of social contract, but tacit social contract itself. As such, it also establishes, guards, and bridges boundaries between public systems and private processes, is *the* basic social act.[3]

These brief observations of and possibilities for understanding prayers suggest that an interpreter should avoid any form of reductionism and functionalism and therefore should recognize both the synchronic (conceptual and functional) and the dynamic (performative and mediatorial) aspects of the prayers.

Using anthropological, sociological, and ritual theories, this essay will examine the penitential prayer in Dan 9. This text offers an excellent starting place for employing these new theories because it displays clearly identifiable attitudes toward history, the people, the rulers, the temple, the cult, and the calendar. Three ritual theorists prove especially helpful in beginning to understand the social and political dynamics of this penitential prayer: Clifford Geertz, Victor Turner, and Catherine Bell. Certainly, if one were to analyze and to compare these theorists, significant differences between them would emerge. However, Catherine Bell in her *Ritual Perspectives and Dimensions* notices that ritual

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2. Such questions, indeed, in part arise from the encouragement of Samuel Balentine in his review of my book, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* in *JBL* 120 (2001): 550–52. At the completion of that book, exploring such questions had already become my future goal. His book *The Torah's Vision of Worship* (OBT; Minneapolis, Fortress, 1999) has now demonstrated the value and rewards of examining various aspects of worship in the Hebrew Bible by using these methodologies.

3. Roy A. Rappaport, *Ritual and Religion in the Making of Humanity* (Cambridge: Cambridge University Press, 1999), 138, emphasis original.

theories often overlap one another, and she cautiously recognizes, without abandoning the fundamentals of her own theory, that remaining open to multiple perspectives about ritual practice avoids reductionism and helps the theorist tap into the richness of ritual.[4]

As an initial attempt to use these theories to interpret Dan 9, I am not seeking to develop or to propose a tight, systematic ritual theory. Rather, I hope that the utilization of these three theorists might bring new perspectives to our study and might highlight some of the social, religious, and political features of the penitential prayer in Dan 9 that we may have overlooked. These new theories may also help move us beyond certain classic impasses—for example, in regard to Dan 9, the difficulty of the relationship between penitential prayer and the cessation of the temple cult and the tension between the prayer's determinist and casuistic views of history—and toward new possibilities. I especially seek to move the discussion away from penitential prayer as an idea and toward the prayers as a dynamic element in the actual lives, the lived experience, of people, even though Dan 9 is fictive. In the discussion that follows I will offer a basic summary of the ideas of these theorists and then move to my ritual analysis of Dan 9.

Three Ritual Theories

Ritual and Cultural Systems: Clifford Geertz

In *The Interpretation of Cultures*, Clifford Geertz asserts that religion is a "cultural system of symbols" that formulates "conceptions of a general order of existence."[5] The culture presents this system of symbols in such a way that it appears to be factually obvious for those who live in that society. For a member of a particular culture, one's world could not be seen in any other way! In Geertz's understanding of the construction of reality, religion serves dialectically as both a model of reality and a model for reality,[6] and it helps an individual to apprehend the world

4. Catherine Bell, *Ritual Perspectives and Dimensions* (Oxford: Oxford University Press, 1997), 88–89. While she can still be quite critical of almost every methodology, Bell is less dismissive of theories in this work than in her earlier *Ritual Theory, Ritual Practice* (Oxford: Oxford University Press, 1992), in which, under the influence of Foucault, she diagnoses ritual theory as plagued by misunderstanding and ritual practice as misrecognition. Ritual theorists believe that they are analyzing theory when they are actually only projecting their own theoretical world upon their subjects. In ritual practice, practitioners believe that they are enacting and experiencing their religion when it is primarily the arena of the mediation of socioreligious power.

5. Clifford Geertz, *The Interpretation of Cultures* (New York: Basic Books, 1973), 90. Some have criticized this definition as too synchronic and too functional. While the basic features of Geertz's definition may give this appearance, his analysis of Balinese culture is much more dynamic than one might assume from his definition.

6. Ibid., 93.

while it simultaneously recommends a way to live in that world.[7] As part of a religio-cultural construction of reality, ritual actions serve as a means to bring together "the world as lived and the world as imagined" and thus to establish for the believer that these two worlds "turn out to be the same world."[8]

When placed within Geertz's theory, penitential prayer, which one might understand as the spoken feature of ritual action,[9] and its accompanying ritual actions both give meaning to reality and model reality. Penitential prayers and acts of contrition declare that something has gone wrong in the world and highlight that wrong. The wrong, of course, relates to the people's relationship to the divine, which is broken down because of what the prayers term as "sin." For those praying a penitential prayer, such improper behavior is a violation of their understanding of the proper order and structure of the cosmos. This means that "sin" is a real action within culture: an antisocial and antireligious act. Beyond simply pointing out the problems in culture, penitential prayers also perform a religious act, and thus they mark a beginning point toward restoration of the individual and people to the divine, as well as toward the restoration of the general order of the world; they announce the wrong, prescribe a way to correct what is wrong, and act to make the world right again. For the believer, prayer provides a nexus, a meeting between the human and the divine, the real and the really real, the cultural-political situation and God's intention for the world. Of course, the believer wraps all this in one package.

Ritual and Liminality: Victor Turner

Victor Turner in *The Ritual Process: Structure and Anti-structure* focuses especially on moments and situations in which social subgroups stand "betwixt and between" the dominant social structures or domains.[10] He calls this state of "in-betweenness" "liminality." For example, those in the process of a rite of passage occupy a liminal state; they are neither children nor adults, and in this particular instance the ritual itself creates as well as dramatizes and resolves the liminal state. When a group experiences a liminal state, whether through ritual or other circumstances, the group's members may together develop what Turner calls "*communitas*," a "spontaneous, immediate, and concrete" cohesiveness that is "opposed to the norm-governed, institutionalized, abstract nature of social struc-

7. Ibid., 112. See also Peter Berger's idea of worldview/sacred canopy as both a subjective and objective reality in *The Sacred Canopy: Elements of a Sociological Theory of Religion* (New York: Anchor, 1990), 3–28.

8. Geertz, *The Interpretation of Cultures*, 112.

9. Ronald L. Grimes, "Reinventing Ritual," *Soundings* 75 (1992): 21–41.

10. Victor Turner, *The Ritual Process: Structure and Anti-structure* (New York: Aldine de Gruyter, 1969), 95.

ture."[11] Turner says that members of millenarian groups are in a liminal state as well, especially when societies suddenly fall under imperial foreign rule.[12] Such groups are forced to the periphery of the main social order and have little or no function within it. They may recognize that, in fact, the whole of society considers them to be a threat to social cohesiveness, and therefore they may become taboo, demonized, or considered subversive.

Penitential prayers may be attempts to address multiple and varied layers and levels of liminality. In the thought world of Deuteronomic-influenced penitential prayer, sin leads the people into a moment of disruption in history and a breakdown in society; sin brings problems upon the people and thus interrupts the normal flow of life. One might say that the people live in liminality, outside of the divinely determined order for the world. In part, this perspective arises from the priestly conception of the sin of the people as pollution that forces them out of their relationship with God and therefore also out of the ordered world. Beyond these ideological possibilities, a penitential group may become a clearly defined social entity bound together in *communitas*, joined in repentance and in opposition to radical social changes and shifts in local power. When groups become disenfranchised or dissidents to the outside structure, they become an antistructure.

Ritual and Mediation of Power Relations: Catherine Bell

Politics, whether within a small group or large segment of society, is an essential part of ritual practice, as Catherine Bell emphasizes. Navigating away from Durkheimian and Marxist theories of religion, in which religion basically functions as a tool for social propaganda, manipulation, and domination of the masses, Bell ascribes to ritual a dynamic role of enacting and mediating power relations within a society. Building upon the theories of ideology of Gramsci, Merquoir, Bourdieu, and Foucault, and developing Turner's and Geertz's understandings of ritual, Bell rejects the notion that ritual *only symbolizes* the authority of the dominant class. Further, it does not *simply* function as "reinforcing shared beliefs or instilling a dominant ideology."[13] Rather, ritual involves distinct practices that play out carefully negotiated power relations between participants and ritual specialists.[14] According to Bell, "The deployment of ritualization, consciously or unconsciously, is the deployment of a particular construction of power relationships, a particular relationship of domination, consent, and resistance."[15]

11. Ibid., 126–27.
12. Ibid., 111–12.
13. Bell, *Ritual Theory*, 216.
14. Ibid., 218–23; idem, *Ritual Dimensions and Perspectives*, 80–83.
15. Bell, *Ritual Theory*, 206.

Participants in culture experience these relationships not as a scheme but as the way that things are.[16] Following Foucault, she argues that the most basic location of this experience of the way things are is the body. Ritual foremost places constraints on a person's body, for a person performs the ritual perhaps at a certain time, at a certain place, and in a certain way, all of which determines the location and actions of the body. As a practice or regulation to be followed, ritual practice objectifies constructions of power within a culture, since the actions done are a form of submission to power. By participating in and honoring ritual activity, the social agent "re-embodies" these power structures.[17] In this way, ritual becomes part of a social agent's experience and understanding of the self, culture, and the world—the organization of the cosmos. Crucial to Bell's theory of the relationship of the objectification of the social structure and perceived scheme is misrecognition. Participants in culture with its ritual actions believe that nature mandates the existing social structure and practices. However, she maintains that "participants do not recognize that the objectified schemes which they re-embody have been orchestrated so that the patterns of dominance and subordination they contain generate the sense of integrated totality and embracing holism experienced by the participants."[18] Again, all these relationships are experienced simply by participating in ritual.[19]

Ritual specialists, trained religious technicians, maintain their authority and control over the participants so long as the participants believe that they in some way benefit from the relationship. Thus, the powerful hold their position and dominance only to the degree that the subordinates consent to the relationship; the relationship is and continues to be a negotiated relationship. Further, members of a society submit to power relationships only to the degree that they believe that the arrangement, which they misrecognize as natural, offers them the feeling of some control over their world.[20]

In the case of Dan 9, Bell's method offers new possibilities for interpreting penitential prayers. The prayer results from a breakdown between the dominant powers and subordinate groups, which has been caused by the radical changes imposed by Antiochus IV and the priesthood. The removal and outlawing of Torah rituals and the establishment of a different cult at the temple, which for the authors of Dan 7–12 amounts to a pagan religion, completely dismantles the society's agreed-upon traditional, communal rituals and therefore also dismantles previous power and social relationships. Especially for those connected to Daniel, at stake are Judaism's central culture symbols: Torah, temple worship, its rituals,

16. Ibid.
17. Ibid.
18. Ibid., 207.
19. Ibid.
20. Ibid., 207–9.

and the sacred calendar. Daniel 7–12 portrays a struggle over these symbols of the culture—who will define them and how they will be enacted? In their resistance and argumentation, the authors of Daniel struggle to articulate a different view of proper social order which would contain different social relationships enacted in different ritual practices.

A Sociopolitical Interpretation of Daniel 9

As the summaries suggest, use and application of the theories of Geertz, Turner, and Bell require asking new questions and looking at the text and previous interpretations from different perspectives. Relying especially on Bell, I seek to examine the prayer in order to understand the way in which it reflects the author's disposition toward ritual practice and social relationships; that is, I seek to explore the politics of the practice of prayer in Dan 9.[21] Consequently, I will not examine Dan 9 as a set of ideas worked out, harmonized, and systematized in the author's mind. Further, I will examine literary and formal aspects of the prayer only in regard to what they may reveal about the politics reflected in the prayer. This prayer is fictive, which of course means that it is not an actually practiced prayer. Thus, we must at this point assume that the prayer literarily reflects the author's views and understandings about the dynamics of penitential prayer. We assume that the prayer in some way imitates life. Obviously, these assumptions raise a set of new issues yet to receive full attention, namely: What is the function, purpose, and dynamics of fictive prayers?

The Politics of Revelation and Knowledge

Tension and dissonance dominate the narrative setting of Dan 9. Among the many problems plaguing the author is the meaning of Jeremiah's prediction (Jer 25:11; 29:10) that the exile would last seventy years in light of the Jerusalem temple's desolation in 167 B.C.E., which occupies a central position in the introductory and concluding verses of the chapter (Dan 9:2, 20–27). Daniel offers his penitential prayer in order to gain some understanding of this dissonance, or perhaps resolve it. The connection between praying the prayer and receiving interpretation of the Jeremianic passage seems unmistakable for several reasons. First, Daniel clearly states in verse 3 that he has "turned to God to seek (בקש) an answer." While Daniel says that he is seeking an answer, he has not explicitly proposed his question, but it is easily deduced. He seeks the interpretation of the prophetic prediction. Second, in 9:22–23 Gabriel arrives with the interpretation of Jeremiah's prophecy, "the word and the vision." Third, this pattern of

21. Unless noted, all quotations from the Hebrew Bible and the Apocrypha are from *The New Oxford Annotated Bible: New Revised Standard Version*.

prayer and epiphany is widely manifested in the literature of this period (see *1 En.* 12–16; Tob 3; Luke 3:21–22; 9:29).[22] We might compare this as well to Dan 2, in which Daniel encourages his companions to "seek [בעא] mercy from the God of heaven concerning this mystery [רז]," that is, the king's dream and its interpretation (2:18).

Following the penitential prayer in Dan 9, the meaning of the text arrives via an angelic interpreter, making the knowledge that the visionary receives divine in nature. Although Dan 9 is a literary exception in this section of Daniel, for it is not an apocalypse or part of an apocalypse and does not contain a dream or vision in narrative form like the other chapters in Dan 7–12, the chapter nevertheless exhibits several similarities to the other chapters in this section. First, the appearance of the interpreting angel in Dan 9 resembles the apocalyptic texts in Dan 7–12, which also contain angelic interpreters. Second, like several of the apocalyptic visions, Dan 9 climaxes in an interpretation of history that includes eschatological calculations.[23] Third, despite the differences between chapter 9 and the other chapters in Dan 7–12, whether knowledge comes from a vision or a text, that knowledge remains inaccessible unless God imparts the knowledge to humans; all knowledge is divinely given.[24]

Daniel's divinely acquired knowledge is not simply an idea—an intellectual construct or system. It also has social value, establishing boundaries by defining "insiders" and "outsiders." Those who possess and accept the divine knowledge are on the inside, and those who do not are on the outside. This knowledge also provides the author and those related to him with a tool to critique the leaders

22. See George W. E. Nickelsburg, *Jewish Literature between the Bible and the Mishnah* (2nd ed.; Philadelphia: Fortress, 2005), 80, 364 n. 53. The description of Daniel's activity as a *maskil* also resembles that of the scribe (*sopher*) in Sir 38–39. See Werline, *Penitential Prayer*, 82–85. See also, Carol A. Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran* (STDJ 52; Leiden: Brill, 2004), 47; John J. Collins, *Daniel: A Commentary on the Book of Daniel* (Hermeneia; Philadelphia: Fortress, 1993), 49, 66–67.

23. Daniel contains some conflicting calculations and scenarios. See, e.g., 7:25; 8:14; 9:24–27; 11:35–36, 12:7, 11–12.

24. Vision and text are only two sources of knowledge among many in Second Temple Judaism. The scribe in Sir 38–39, for example, also contemplates parables, proverbs, and the wisdom of the ancients. Many different kinds of knowledge may be offered from these larger categories. For example, Frances Flannery-Dailey ("Dream and Vision Reports," *Dictionary of Early Judaism* [ed. John J. Collins and Daniel C. Harlow; Grand Rapids: Eerdmans, forthcoming]) notices the following: "Visionary knowledge also includes revelations of heavenly Scripture (e.g. *4Q Apoc. Jac.*; *T. Naph.* 5:8; *1 En.* 81.1, 103:2, 106:19), divinely facilitated interpretations of familiar Scripture (e.g. *J. W.* 3.351–54; cf. Dan. 9 and possibly the Qumran *pesharim*), and written records of the visionary experience, often as part of the dream or vision report itself (e.g. *4QVis. Amram*; *Jub.* 1:5, 27; 32:26; Dan 7:1; *4 Ezra* 14:37–48; *1 En.* 14:1, 82:1; *2 En.* 23:4–6)."

and those who follow them.[25] In the prayer itself, Daniel turns this knowledge against opposing political and religious parties in no place less than the confession of sin, which contains a unique phrase not found in other prayers: "[W]e did not ponder [שכל] your truth" (9:13).[26] The term "to ponder" (שכל) proves important in Daniel. In the opening verses of the book, the author describes Daniel and his companions as possessing "insight (משכילים) into all wisdom" and "knowledge and understanding" (1:4). The plural noun built from the root *skl*, *maskilim*, is the designation for the wise teachers associated with the book of Daniel. As one who possesses wisdom, knowledge, and understanding, Daniel functions in the text as a model of and for the *maskilim*, as Geertz would say. Like Daniel, the *maskilim* teach and instruct the people in wisdom and knowledge: "The wise [*maskilim*] among the people *will give understanding* to many…" (11:33); "those who are wise [*maskilim*] will shine like the brightness of the sky, and *those who lead many to righteousness* like the stars forever and ever" (12:3). That prayer leads to the possibility of further eschatological knowledge separates the *maskilim* from those outside of the party, and in this way their special knowledge serves as part of the *maskilim*'s self-definition; in part, they are who they are because of what they know. As Carol Newsom recognizes, such knowledge also *excludes*: "None of the wicked shall understand [בנה], but those who are wise [והמשכלים] shall understand [בנה]" (Dan 12:10).[27] Thus, in this prayer—if only prayed fictively and vicariously through the character Daniel or through him as their fictional representative—the *maskilim* distinguish themselves in speech, practice, and theology from other Jewish parties and the Jerusalem leadership. This makes the practice of the prayer in Dan 9 a social action, and the knowledge that is gained and put into practice is social knowledge, that shared among the *maskilim*.[28]

Liminality

The basic desire "to know" and to explain the prophetic text is only one attempt to resolve part of the dissonance in Dan 9. Thus, while the answer to the question about Jeremiah's prediction comes, other problems linger. Prominent among these lingering problems in the narrative and within society is the temple's desolation. This persistent unresolved problem generates chaos in the *maskilim*'s world and

25. The concept of the sociology of knowledge is a complex issue; see Peter Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (New York: Anchor, 1967); Berger, *The Sacred Canopy*.

26. My translation. Through this explanation, I rely on my previous work on the *maskilim* in *Penitential Prayer*, 72–74.

27. Newsom, *The Self as Symbolic Space*, 45.

28. See Carol A. Newsom's work on very similar issues as they relate to the Qumran sectarians and the structure and use of the *Hodayot* in *The Self as Symbolic Space*.

creates a feeling of "in-betweenness," what Turner calls "liminality." In this state, the *maskilim*, the people, the temple, and its accompanying rituals are caught in a "nowhere," a place of instability, disorder, and danger.

Liminality, Sacred Space, and Sacred Time

As stated above, the Jeremiah text is important because of what it means in relationship to the desolation of the Jerusalem temple. Both the prayer's narrative context and its content refer to this crisis. Daniel begins his prayer after considering the "devastation of Jerusalem," words that the author has lifted from Jeremiah (Dan 9:2; cf. Jer 25:11–12; 29:10). In the prayer's petitionary section, the author explicitly petitions God on behalf of the city:

> O Lord, in view of your righteous acts, let your anger and wrath, we pray, turn away from your city Jerusalem, your holy mountain; because of our sins and the iniquities of your ancestor, Jerusalem and your people have become a byword and a disgrace among all our neighbors. And now, therefore, O God, listen to the prayer of your servant and to his supplication, and for your own sake, Lord, let your face shine upon your desolated sanctuary.… Open your eyes and look at our desolation and the city that bears your name. (9:16–18).

In Gabriel's explanation of the text, the angel mentions the desolation of the city and the sanctuary (9:24, 26–27). The vocabulary of "desolation" and "abomination" also relates the prayer and its surrounding narrative to the apocalyptic visions of chapters 8 and 10–12 (8:13; 9:26; 10:13; 11:31; 12:11).

For the *maskilim* and many other Jews, the temple's condition throws all socioreligious life into "no place," for society now lacks an organizing and symbolic center, which is also *the* center of religious practice. The temple should be *the place* where ritual actions are performed to avoid, to address, or to move out of liminality, such as in dealing with sin or national crises. Without the temple as a way to move out of liminality, Daniel's prayer plays an important role in understanding and addressing the condition of the people. At this point, I must emphasize that this role is not a simple substitution: the temple is gone, so Daniel substitutes a prayer for the sacrifices that one could offer there. Daniel Falk has rightly encouraged us to think harder about the relation of sacrifice and prayer.[29] In fact, in Dan 9 one cannot conclude that the author has substituted prayer for sacrifice, because the text clearly states that, however uncomfortable the thought may be for us, the people's period of suffering and not the prayer operates like a

29. Daniel K. Falk, "Qumran Prayer Texts and the Temple," in *Sapiential, Liturgical and Poetical Texts from Qumran: Proceedings of the Third Meeting of the International Organization for Qumran Studies, Oslo, 1998* (ed. Daniel K. Falk, Florentino García Martínez, and Eileen M. Schuller; STDJ 30; Leiden: Brill, 2000), 106–26.

sacrifice: "Seventy weeks are decreed for your people and your holy city: to finish [כלה] the transgression, to put an end [חתם] to sin, and to atone [כפר] for iniquity, to bring in everlasting righteousness, to seal [חתם] both vision and prophet, and to anoint a most holy place" (9:24). The verse imagines the period of the seventy weeks of years as a period of sin, and its conclusion, as prophetically predicted, will also bring the end to sin. The verb "to finish" (כלה) often refers to the termination of a period of time or of one's life, and coupled with the term "to atone" (כפר) the words together depict the effective end of a sinful era. The author's choice of חתם to describe both the "end" or "sealing" of "sin" (חטא) and the "sealing," or fulfillment and completion, of the prophetic vision, a repetition not reflected in the NRSV, also portrays the end of an era as the end of sin. This language, then, reflects a continuing presence of the priestly idea of the function of exile, as Boda has noted (cf. Lev 26:41, 43).[30] Instead of simply replacing sacrifice, the prayer must have a much more complex relationship to the situation and, given the text's references to time and space, must be entangled in the *maklilim*'s conceptions of those two realities.

Cultures give meaning to time and its experience.[31] The prayer in Dan 9 operates with at least two conceptions of time. First, the interpretation of Jeremiah's prophecy reveals that the author holds to a notion of *epochal* time: the division of time into eras or epochs, in this case according religious significance.[32] Accordingly, Jeremiah's seventy years becomes seventy weeks of years that are divided into eras according to the appearance of certain leaders and occurrences of various events (9:24–27); these eras form an apocalyptic/eschatological schema. Seventy weeks of years equals 490 years, most likely a play on the concept of the Jubilee.[33] Each of these moments moves time toward its culmination in the punishment of Antiochus IV and the end of the era. In this regard, Dan 9 holds to a view of time that basically resembles the other chapters in Dan 7–12, although the key and culminating events in these other examples of epochal time may somewhat differ from chapter 9. The similarities between these chapters require more investigation in the future, for the view of the present through a slightly different end may alter the meaning of the present. In the apocalyptic visions of Daniel, historical eras play out according to the mythical dramas and conflicts taking place in heaven that correspond to earthly realities. One is safe in saying, however, that all of Dan 7–12 consistently affirms that God has the final say in

30. Mark J. Boda, "Confession as Theological Expression: Ideological Origins of Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), 29–30.

31. See also Newsom, *The Self as Symbolic Space*, 174–90.

32. See also ibid.

33. See Paul L. Redditt, "Daniel 9: Its Structure and Meaning," *CBQ* 62 (2000): 236–49.

history and time. Thus, the authors of this section of Daniel give meaning to time according to their interpretation of its end.

The second experience of time in Dan 9 is *calendrical* or *cyclical* and *liturgical* in nature, for it relates to the holy times within the flow of the day. In this chapter, even though the daily sacrifices, as well as other offerings, have been suspended, Daniel continues to recognize and observe the daily liturgical hours.[34] Accordingly, Gabriel's answer also comes at the time of the evening sacrifice, the *tamid*, and since the text depicts the angel as coming swiftly while Daniel was speaking the prayer, one should assume that Daniel was praying at the time of this sacrifice. In the fictional setting, the temple is in ruins because of the deeds of Babylon, and the text explicitly mentions the cessation of the daily offerings (9:27; see also 8:11; 11:30–31). However, we know the author is actually concerned about the desecration of the temple and the disruption of temple worship under Antiochus IV. Despite the cessation of the daily offerings, the narrative asserts that the basic flow of the day maintains a holy aspect to it, and the sacredness of designated sacrificial times remains even though the temple is desecrated. Daniel is not praying "as if" the sacrifices were being offered; rather, he prays because, whether there are sacrifices at the temple or not, the day flows according to a divine, cosmic order.

The evening *tamid* brings the world of the divine and this world into close relationship with one another, as Geertz would affirm. In Daniel, that divine world continues to operate for those who see and know it. The Qumran sectarians believed that worship on earth according to the hours of the day coincided with the angels' worship in heaven.[35] Establishing that the *maskilim* held to a similar idea would require much more work.[36] Nevertheless, the depiction of Daniel praying at this time challenges Antiochus IV's attempt to undo or transform Jewish practice. Whatever the deeds of Antiochus, the divine order continues, and the *maskilim* long for God to reestablish this on earth in order to escape this liminal state. Nevertheless, through prayer at the proper times, the sacred hours can still be experienced.

Connections clearly exist between sacred time and the loss of sacred space, that is, the temple. Daniel's liturgical time subverts Antiochus's power just as epochal time in Dan 7–12 sees his power as simply temporary. First, the idea of epochal time in Dan 9 as it relates to the temple asserts that the temple's des-

34. See also Dan 6:10, which depicts Daniel praying three times each day.

35. See *Songs of the Sabbath Sacrifice*; see also Esther Chazon, "When Did They Pray? Times for Prayer in the Dead Sea Scrolls and Associated Literature," in *For a Later Generation: The Transformation of Tradition in Israel, Early Judaism and Early Christianity* (ed. Randall Argall, Beverly Bow, and Rodney A. Werline; Harrisburg, Pa.: Trinity Press International, 2000), 42–51.

36. The enthronement of the son of man in Dan 7 would be a key text in determining if the *maskilim* thought that worship on earth coincided with worship in heaven.

ecration is temporary and assures the restoration of sacred space. Second, the belief that the daily cycle of holy hours continues without the temple assures the *maskilim* that Antiochus IV has not eradicated the divine order to the cosmos. One might speculate that this latter experience of time (cyclical/calendrical time) for the *maskilim* confirmed for them the "certainty" of the former understanding of time (epochal). If this is true, each day the experience of holy time held the promise of God's final victory.

The Politics of Covenantal Theology

Daniel's prayer claims that the present situation in the city confirms God's anger against the people and especially their rulers for their violation of the covenant (9:12). Largely to blame are the priests Jason and Menelaus, who bought the priesthood from Antiochus IV—Menelaus taking it away from Jason, who took it from Onias III. Elsewhere the book of Daniel alludes to these men's intrigues in connection with the program to transform Jewish culture and religion as violations of the covenant.[37]

> He shall turn back and pay heed to those who forsake the covenant.… They shall abolish the regular burnt offering and set up the abomination that makes desolate. He shall seduce with intrigue those who violate the covenant. (11:30–31)

The narrative conclusion of Dan 9 also appears to refer to the actions of the priest(s) in Jerusalem:

> He shall make a strong covenant with many, and for half of the week he shall make sacrifice and offering cease; and in their place shall be an abomination that desolates. (9:27)

This emphasis in Daniel on the covenant and its violation reveals that covenantal theology shapes the authors' worldview and that through this the *maskilim* also define their opponents; the authors interpret the events of the era through a covenantal lens and cast the opponents' religious and political actions as violations of the covenant.

Much more than a religious concept, construct, or idea, covenant is a social reality that exists in the way that leaders and the people relate or should relate to one another, in how leaders should function in the temple, and in the way in which the people live out their faith and experience their day. The violated covenantal relationship represents another liminal state, a "no-place," and in their unified criticism of and resistance to Antiochus IV's program and the Jerusalem priests, the *maskilim* have created what Turner calls *communitas*. Their resistance

37. See Collins, *Daniel*, 384–85.

has jeopardized their lives and may have even brought martyrdom to some: "but the people of God will stand firm and take action" (11:32); "for some shall fall by the sword and flame, and suffer captivity and plunder" (11:33); "some of the wise shall fall, so that they may be refined, purified, and cleansed until the time of the end" (11:34). If the words "a little help" in Dan 11:34 refer to the Hasmonean revolt, as several modern critics believe, then the *maskilim* most likely engaged in passive resistance and basically rejected the Hasmonean militaristic response to the problems of the era. The messages of Daniel's apocalyptic visions imply that the *maskilim* believed that they should wait for the arrival of God's eschatological victory brought by Michael.[38] At that time, God would bring Antiochus IV's wicked deeds to an end and the resurrection would take place. In the meantime, however, the *maskilim* stand in a precarious political situation, in the face of which they offer their resistance, albeit through peaceful means.

Revisiting a Classical Tension in Daniel 9

How one relates covenant theology, which is conditional in nature, to the overall apocalyptic determinism of Dan 7–12, including the angel's words in Dan 9, remains a significant problem. Collins argues that it is difficult to conclude that Daniel understood the crisis under Antiochus IV as punishment for Israel's sins, as he states: "such an understanding is never explicit in Daniel (apart from the prayer). The emphasis is rather on the sin of the gentile 'beasts.'"[39] He later asserts: "This suggests that the content of the prayer does not represent the theology of the angel or of the author of the book. Rather, as Towner has argued, the prayer is an act of piety, which is appropriate as the prayer of one who failed to understand at the end of chapter 8."[40] In fact, Collins sees in Dan 9 a rejection of Deuteronomic theology.[41] In contrast, Hans van Deventer has argued against Collins's position, reversing it by claiming that the placement of the prayer in Dan 9 in the center of chapters 7–12 is an attempt to correct apocalyptic determinism through the use of covenantal conditionalism;[42] the prayer's central location focuses attention on the prayer, making it the lens through which one reads the rest of chapters 7–12.

The author of Dan 9 seems to have been able to hold to both apocalyptic determinism and conditional covenant theology at the same time. However contradictory the apocalyptic thought and Deuteronomic thought are—and they

38. See Richard Horsley, *Jesus and the Spiral of Violence: Popular Jewish Resistance in Roman Palestine* (Minneapolis: Fortress, 1993), 62–64.

39. Collins, *Daniel*, 360.

40. Ibid.

41. Ibid.

42. Hans van Deventer, "The End of the End: Or, What Is the Deuteronomist (Still) Doing in Daniel?" in *Past, Present, Future: The Deuteronomistic History and the Prophets* (ed. Johannes C. de Moor and Harry F. Van Rooy; OtSt 44; Leiden: Brill, 2000), 62–75.

certainly are!—the author can live with the dissonance. How could this be? Perhaps modern scholarship needs to reassess the notion that authors of ancient religious texts and ancient religious practitioners, and even religious technicians, first and foremost sought to present a coherent and systematic set of *ideas*. Recent anthropological studies have demonstrated that religious people have the ability to hold to several concepts and practices that may be in tension with one another or even in contradiction with one another. People practice and work with whatever has been handed down to them in their religious culture, as well as what problems may be confronting the community or new perspectives that may be emerging. Ritual action is not the acting out of ideas or the dramatization of ideas, as was asserted in the old myth and ritual school, but the means by which members of a society enact a complex set of social relationships; ritual mediates social relationships and power. The *maskilim* have two traditions and social visions with which they must work: the apocalyptic and the covenantal. The apocalyptic tradition establishes the group's identity and distinguishes it from other groups. The covenantal traditions in the text —not just in the prayer but, as we have seen, elsewhere in Dan 7–12—relate the group to a broader stream of Jewish tradition and temple practice, within which they also see themselves as standing. They need both—the apocalyptic traditions to be loyal to one another in the group and the covenantal traditions to be loyal to an older, broader tradition—and they must hold to and enact both. To lose the apocalyptic aspect of their faith would be a loss of identity; to lose the covenantal aspect of their faith would, for them, separate them from what they have received as part of the heart of the tradition.

Conclusion

Daniel 9 is full of dissonance, not simply in its attempt to bring together reality and prophetic promise, but also in its "required" use of various traditions: prophetic, Deuteronomic, priestly, and apocalyptic. The author of Dan 9 had to bring together all these various traditions and relate them to the current religio-political struggle in the second century B.C.E. From an analytical and systematic perspective, the author of the prayer never comes close to a resolution of all this dissonance. However, the author's goal is not to be systematic but to take back, to give meaning to, and to preserve key teachings and practices in a world that has suddenly discarded them, and the place of the *maskilim* along with them. This moment requires resistance. The author does not offer a set of ideas, but encouragement to wait for the end to the current crisis and the arrival of the end of time, which will bring an end to liminality in the triumph of the divine order.

Ritual theory is able to highlight what we have not yet seen in these prayers, such as issues related to understanding of time, space, group, the politics of praying, and the vision for the society. The theories of Geertz, Turner, and Bell also move the study of prayer out of the grips of Durkheim's functionalism. Prayer

does not simply function as a tool to maintain a culture's ideology about itself. Further, the theories help us to see that penitential prayers are not simply a repository of ideas, as modern scholarship may at times seem to treat them. Rather, penitential prayers are a dynamic social performance that takes place within a web of social relationships and power structures; they are a form of mediation of those relationships. By offering a penitential prayer, the people engaged in and enacted culture, and they also believed that they experienced the divine in the action. Even though the penitential prayer in Dan 9 is fictive, it does model, reflect, and imitate these dynamic aspects of the prayers.

Daniel 9: A Penitential Prayer in Apocalyptic Garb

Pieter M. Venter

Introduction

The *Gattung* of penitential prayer already had a long history when the book of Daniel was written in the second century B.C.E. Penitential prayers were usually conducted in the vicinity of the temple, but at least two examples can be given where liturgical prayers were conducted outside the temple. The prayer in Neh 9:6–37 was presented by the Levites who were standing on the stairs while the Israelites were gathered outside the temple (see 9:4). The prayer in Dan 9:4–19 was also prayed away from the temple. In his prayer Daniel refers to the "desolate sanctuary" (Dan 9:17) and the desolation of the city of Jerusalem (9:18). This makes it unlikely that his prayer was conducted in the temple area.

Daniel 9:1–27 indicates a development in the use of the genre of the penitential prayer. An existing form of the penitential prayer was used and linked to the contents of Jer 25. Pretending to be a prayer recited away from the temple during the exile, this combination of prayer and reference to Jer 25:11–14 was inserted into an apocalypse reflecting the situation during the time that the book of Daniel was written. This development created the ideological matrix for penitential prayers conducted later on in the synagogue. This development becomes clear when studying the following aspects of Dan 9:1–17: (1) the prayer in Dan 9:4–19; (2) the *Gattung* of the prayer and its traditio-history; (3) the relation of the prayer to the apocalyptic context in which it is presented; and (4) spatial theory and ideological temple space.

The *Gattung* of the Prayer in Daniel 9:4–19

Daniel 9:1–27 consists of three sections. In the introduction (9:1–3) the narrative dates the events in the first year of Darius the Mede and introduces the

* This paper is a reworked version of my article "Constitualised Space in Daniel 9," *HvTSt* 60 (2004): 607–24. Reprinted by permission.

problematic contents of Jer 25:11–14; 29:10. Jeremiah prophesied that Jerusalem would lie in ruins for seventy years before being rebuilt. In the second section (9:4–19), Daniel recites his penitential prayer for Israel's transgression. The third section (9:20–27) reports a revelation by the angel Gabriel on the future restoration of Jerusalem.

The penitential prayer (9:4–19) shows *explicit* intertextuality in verses 11 and 13.[1] The phrase כתוב בתורת משה ("written in the laws of Moses") explicitly refers to the Pentateuch. Verse 15 contains *allusive* intertextuality. It alludes to the exodus theme in the phrase "who brought your people out of the land of Egypt with a mighty hand." No direct quotation of older biblical material can be found in the prayer. *Implicit* intertextuality with the contents of Deuteronomy, Jeremiah, 1 Kings, Leviticus, and Ezekiel is present. Dialogic intertextuality is present in the use of the retributive historical schema in Deut 32:1–43. This scheme consists of the elements sin, punishment, penitence, and salvation. The same outline of events is also used in Pss 78; 105; 106; 135; 136; Ezra 9; Neh 9:5b–37; Ezek 16 and 20; Dan 2:1–49; 7:1–28; 11:14; Sir 44–49; *1 En*. 89:59–90:19 (Animal Vision); 93:1–10 (Apocalypse of the Weeks); Tob 14:4–7; CD 1:3–12; 2:14–4:12; 5:20–6:11; and *Jub*. 1:7–18; 23:16–31.

The form of the prayer is described in several ways. Lacocque delineates it as "an anthological liturgical text in the post-exilic literature" and "a mosaic of quotations from Deuteronomy and Jeremiah, and occasionally from 1 Kings, Leviticus and Ezekiel."[2] Anderson calls it "an anthology containing a number of quotations from Deuteronomy and Jeremiah."[3] In Collins's opinion, it is "a smoothly flowing pastiche of traditional phrases."[4] The prayer, however, not only reflects these phrases and ideas from older biblical material but also shows the typical form of the penitential prayer. It not only shares a common vocabulary with the prayers in 1 Kgs 8:23–53; Ezra 9:6–15; Neh 1:5–11; Ps 106:1–48; Neh 9:6–37; and Bar 1:15–3:8, but also uses the same *Gattung* of the "penitential prayer."[5] According to Werline's definition, a penitential prayer "is a direct address to God in which an individual, a group, or an individual on behalf of a group confesses sins and peti-

1. For a technical analysis of the intertextuality of Dan 9, see Pieter M. Venter, "Intertekstualiteit, Kontekstualiteit en Daniël 9," *IDS* 31 (1997): 338–43.

2. Andre Lacocque, *The Book of Daniel* (trans. David Pellauer; Atlanta: John Knox, 1979), 182.

3. Robert A. Anderson, *Signs and Wonders. A Commentary on the Book of Daniel* (ITC; Grand Rapids: Eerdmans, 1984), 107.

4. John J. Collins, *Daniel, with an Introduction to Apocalyptic Literature* (FOTL 20; Grand Rapids: Eerdmans, 1984), 90. W. Sibley Towner (*Daniel* [IBC; Atlanta: John Knox, 1984], 129) describes the whole chapter as "a meditation of Scripture upon earlier Scripture."

5. See Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999), 203–4.

tions for forgiveness as an act of repentance."[6] The prayer in Dan 9:4–19 contains the typical elements of the genre of the penitential prayer: praise, supplication, confession of sin, history, and themes such as covenant, land, and law.[7] Comparing the prayer in Dan 9 with the prayers in Ezra 9:6–15 and Neh 1:5–11; 9:6–37, Towner terms this prayer a "prose prayer of penitence."[8] O'Kennedy calls it a "prose penitential prayer"[9] and highlights the following shared characteristics in these four prayers: (1) the *hitpa'el* form of ידה (to confess) is used; (2) they are more extensive than other prose penitential prayers; (3) all four have a penitential character similar to that found in the prayer of Solomon in 1 Kgs 8:46–47, 49; and (4) the narratives in which the prayers are embedded do not give any direct answers or promises of God's absolution.[10]

Similar to other penitential prayers, Dan 9:4–19 indicates a situation of תפלה ותחנונים צום ושק ואפר (prayer, supplication, fasting, and sackcloth and ashes). What is different in Daniel's prayer is his solidarity with the people. While the prayer in Neh 9 refers to Israel mostly in the third person (see 9:7–31) and only changes to the collective first person in the last sentences (9:32–37), Daniel identifies himself with Israel all along.

As an individual, Daniel prays on behalf of all of the Israelite community. Through the prophets God spoke to Israel's kings, princes, ancestors, and all the people of the land (Dan 9:6). All of them had sinned. They were all overcome by shame (9:8). God therefore brought calamity (תעה גדלה) upon all of Jerusalem as never before (9:12). Daniel's penitence is even not only on behalf of all the inhabitants of Jerusalem and all of Israel, near and far in all the lands to which God has driven them (9:7), but also for the city that bears God's name (9:19) and for its temple.

When Daniel implores YHWH for a reversal of the fortunes of Jerusalem and its temple, he pleads not only for his people but also for YHWH himself. The supplication to YHWH is to bring salvation for "your" city Jerusalem, "your" holy mountain (הר־קדשך עירך ירושלם, 9:16), and "your" desolated sanctuary (קדשך השמם, 9:17). YHWH's honor and Israel's salvation are both linked to the destiny of the city and the temple. The mutual concern of YHWH and his people is depicted in terms of the city and the temple.

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6. Rodney A. Werline, "Defining Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origin of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), xv.

7. See Boda, *Praying the Tradition,* 30.

8. Towner, *Daniel*, 130.

9. Daniël F. O'Kennedy, "Vergifnis in die gebed van Daniël (Dan. 9:4–19)," *AcT* 23 (2003): 141.

10. Ibid., 141–42.

The theological content of this intimate relationship is explored in the structure of the prayer. Here a pattern is used in which God's righteousness (R) is alternated with Israel's transgression (T):

9:4	The awesome God who keeps his covenant with those who love him (חסד)	R
9:5– 6	We did not listen to your prophets who addressed all of us (רשע חטא)	T
9:7a	You are a righteous God (צדקה)	R
9:7b–8	Shame came upon all of us, far and near, for we sinned against God (חטא מעל בשת)	T
9:9a	God has mercy and forgives (סלח רחם)	R
9:9b–14a	We did not obey God's laws and calamity came upon Jerusalem (מרד רעה חטא סור עבר לא שמע)	T
9:14–c	God is righteous—we sinned (צדיק לא שמע)	R-T
9:15	God saved us from Egypt—we sinned (הוצא חטא)	R-T
9:16	God is right to bring his anger on Jerusalem—we sinned and became a disgrace (אף וחמה צדקה חטא חרפה)	R-T
9:17–18	Look upon the desolated sanctuary on the ground of your great mercies (רחם)	R
9:19	Forgive us because the city and the people bear your name (שם סלח)	R

Daniel acknowledges that YHWH is gracious (חסד, צדקה, רחם, סלח, צדיק, שם הוצא). In contrast to God's righteousness, Israel brought shame and disgrace to Jerusalem because the people sinned (חטא, רשע, לא שמע, בשת, רעה, חרפה) against God's commandments. As the prayer progresses, a shift occurs from an extended emphasis on Israel's sin to an extensive elaboration on YHWH's mercy and forgiveness. Typical of all penitential prayers, this prayer is theocentric in its focus.[11] By not listening to God's prophets and disobeying his law, the people of Israel distanced themselves from YHWH. The agony of their guilt drives them back into God's arms. Their penitential confession is aimed at restoring the covenantal relationship with YHWH (see Dan 9:4). This restoration is, however, depicted in theocentric terms. The people of Israel can only present themselves to God as repenting people who wait upon God's actions. Jerusalem's devastation can come to an end only if God himself casts his eyes upon his people and his city. Only through

11. See Mark J. Boda, "Confession as Theological Expression: Ideological Origins of Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:39.

God's great mercy and for his own sake can God's desolated sanctuary and Jerusalem be saved. God's righteousness therefore is conceptualized not only in terms of its opposition to Israel's unrighteousness but also in terms of his willingness to take Israel back into his covenant and to remove the disgraceful results of their sin. The human partner is used in this instance as a reference point for understanding the divine. Who God is and what he does is conceptualized in terms of his human partner. Israel's identity is depicted in terms of its relationship to the Lord.

This dialogue between YHWH's righteousness and Israel's transgression is also present in the way in which interpretation and penitence are connected to each other in the prayer. Daniel reads the inscripturated tradition (ספרים, 9:2) and understands that YHWH revealed to the prophet Jeremiah (see Jer 25:11; 29:10) that the devastation of Jerusalem would last for seventy years (Dan 9:2). Daniel understands this tradition not only in terms of God's righteousness but also against the background of the transgression and penitence of God's people. When he prays for the fulfillment of those words, Daniel understands that such fulfillment is fully dependent upon YHWH's own decision to bring to fruition his words to the prophet. He can be persuaded only by his own mercy and act for his own sake. The credit can only be his. God is the axis of everything.[12] Israel has no credibility or righteousness that could sway God to do what he had promised. Not even Israel's penitence can act as a persuasive power.[13] The people's only "credibility" is their confession of their total failure and entire reliance upon God's clemency.[14] God's redemption is therefore conceptualized not only in terms of God's sovereignty but also in terms of Israel's unrighteousness. Their penitence confesses to the fact that they are in the wrong and are totally reliant upon God's mercy. God's righteousness is confirmed when he includes unrighteous people in his mercy. It is his city and his people that bear his name that he will save. His honor will be served when he removes Israel's disgrace from the temple and the city. God's righteousness is confessed in the penitential prayer. This confession is enhanced by referring to Israel's conduct as a negative counterpart to God's action. God's majesty is depicted in terms of people who humble themselves before the Lord.

The penitential prayer in Dan 9:4–19 uttered in a situation of supplication and fasting was, therefore, a theological vehicle to conceptualize faith in YHWH in terms of a living relationship between a God who shows mercy and a people who are redeemed because they are included in God's actions although they are unrighteous.

12. See O'Kennedy, "Vergifnis in die gebed van Daniël," 145.

13. Towner (*Daniel,* 140) makes the interesting remark to the effect that Daniel was not so bold as to suggest that the new age hung by a mere thread of repentance and that one little word would drop that new eon into the place of the present evil age.

14. See Kennedy, "Vergifnis in die gebed van Daniël," 145.

Traditio-History of Penitential Prayers

In its use of the *Gattung* of the penitential prayer, the prayer in Dan 9:4–19 continues a long-standing tradition of using this form of prayer during days of fast and repentance. As was previously mentioned, the same *Gattung* was used in 1 Kgs 8:23–53; Ezra 9:6–15; Neh 1:5–11; Ps 106:1–48; Neh 9:6–37; and Bar 1:15–3:8.

Boda's form-critical and traditio-historical analysis of the *Gattung* to which Neh 9 belongs aimed to identify the tradent circle(s) that used this type of prayer.[15] Labeling it "penitential prayer," Boda linked the *Gattung* to a tradition of prayer that arose after the fall of Jerusalem and was used in connection with regular days of fasting. The prayer was used as a communal and personal response to the devastating catastrophe of the exile and as an opportunity to implore YHWH for a reversal of fortunes.[16] Based on classic Deuteronomistic theology of the justification of God and his blamelessness, the *Gattung* of lament was transformed into a penitential *Gattung* informed by the agenda of confession as it is found in Lev 26; 1 Kgs 8; and Josh 7. The tradent circles responsible for this development were influenced by both priestly and Ezekielian circles and took "the Dtr call for justification of God and repentance of the people and express[ed] them in practical terms, showing the implications of Dtr theology for the Gattung of lament: i.e. a particular style of confession, a silencing of lament and a new mode of renewing covenant."[17] As the agenda of penitential prayers is more closely allied to priestly rather than Deuteronomistic circles, Boda regards this shift as a priestly transformation.[18]

The various representatives of the *Gattung* used it in their different compositions. The composers of the prayer in Neh 9 applied its form to the early restoration community in the Persian province of Yehud. Most scholars ascribe the book of Daniel and the prayer in Dan 9 to the second century B.C.E. Towner views it as "a distinct genre of prayer" that occurs only in relatively late texts. It may therefore reflect "prayer practice in the second temple or even nascent synagogue."[19] Boda thinks that it "may reflect a much earlier period"[20] and finds both Deuteronomistic and priestly influence in the prayer. The word-pair "curse and oath" (האלה והשבע) in Dan 9:11 seems to allude to Deut 29:20–21 and 30:7. As השבע is never used along with אלה in Deuteronomy and as a word-pair only in passages with priestly concerns (Neh 5:21; 10:30), Boda regards this as priestly vocabulary imposed upon the citation of Deuteronomy.[21] Following Doukhan's

15. Boda, *Praying the Tradition*, 18–19.
16. Ibid., 41.
17. Ibid., 73.
18. Boda, "Confession as Theological Expression," 23.
19. Towner, *Daniel*, 130.
20. Boda, *Praying the Tradition*, 71 n. 118.
21. Ibid., 71.

and Goldingay's indications of numerous correspondences between Dan 9:24–27 and Ezek 28, Boda argues that the similarities are further indication of the use of an existing penitential tradition in Dan 9. Unfortunately, Dan 9:24–27 does not form part of the prayer, which weakens Boda's argument. Boda is of the opinion, however, that some have "justifiably" argued for the unity of the prayer and the narrative.[22] The emphasis on penitence in Dan 9 is unique. This uniqueness of the chapter within the book "is strong evidence that it reflects different tradents from the rest of the book and may indeed be a piece originally used in a different context."[23]

While I fully agree with Boda that the prayer in Dan 9:4–19 has all the characteristics of a penitential prayer and could thus be classified as such, I would, however, not ascribe all of chapter 9 to tradents who are different from those who were responsible for the rest of the book of Daniel. The prayer itself could have had a tradition history of its own. Boda could be correct to relate 9:12–14 in the prayer to Ezekielian circles, as it "reflects Deut/Dtr/Jeremianic terminology independent of Penitential Prayers."[24] The prayer is in essence an exilic prayer. Lacocque is of the opinion that it has been modeled in the fourth century B.C.E. by Ezra and Nehemiah.[25] In the second century B.C.E. it had been remodeled and "re-utilized and elaborated upon by the author."[26] It was then included in an apocalyptic narrative report.[27] The prayer is written in a typical exilic idiom referring to a desolate sanctuary and a destroyed Jerusalem. The revelation narrative in Dan 9:20–27 indicates a restoration and rebuilding of Jerusalem after seven "sevens" and sixty-two "sevens" (9:25). This is followed by another destruction of the city and the sanctuary during the last "seven." A progression is found in the narrative that does not occur in the prayer. I would rather propose that the prayer represents an older prayer tradition that was then utilized by the apocalyptic tradents who created the narrative and compiled Dan 9. This will be shown by our investigation into the relationship of the prayer to the narrative in the next section.

22. Ibid., 71 n. 118.

23. Ibid., 72.

24. Ibid., 65.

25. Andre Lacocque, "The Liturgical Prayer in Daniel 9," *HUCA* 47 (1976): 127.

26. Ibid., 119.

27. Boda ("Confession as Theological Expression," 32) discerns a close relationship between "the final redaction of Dan 9 and the Priestly Yom Kippur ritual preserved in Lev 16." I would agree that such a relationship could possibly be found between the final form of the prayer in Dan 9:4–19 and the ritual but would differentiate it from the final redaction of chapter 9. The obvious apocalyptic theology found in the narrative formed the semantic frame for the final interpretation of the prayer.

Relation to the Revelation in Daniel 9:20–27

The three sections of Dan 9 are interlinked by the reference to Daniel's prayer and the sanctuary in Jerusalem. The desolation of Jerusalem is referred to in the introduction (9:1–3), the prayer of Daniel (9:4–19), and the apocalyptic narrative (9:20–27). The desolation is linked to the number seventy only in the introduction and the apocalyptic narrative. The introduction refers to Daniel's prayer and petition while he was fasting in sackcloth and ashes. In the first-person report, both Daniel and the angel Gabriel refer to Daniel's prayer. These references, however, could have been included by a redactor in order to link the different sections of Dan 9.

Various possibilities have been proposed in respect to the compilation of the chapter. Either an existing penitential prayer was used and included in the framework of the introduction and the narrative,[28] or the prayer was created simultaneously with the narrative,[29] or the prayer was included at a later stage in an existing apocalyptic narrative.[30] Whichever theory one follows, the main challenge remains to give an acceptable explanation why the prayer and the narrative (totally different in content, style, and theology) have been integrated to form one composition. The final composition, after all, "was an expression of the self-understanding of the group standing behind the Book of Daniel."[31]

The explanations offered by scholars see the prayer either as a correction of the theology of the narrative or the narrative as correcting the theology of the prayer. For Wilson, the prayer "is either a rather clumsy attempt to provide an orthodox, Deuteronomic corrective to the deterministic worldview of Daniel, or has undergone a metamorphosis and now serves simply as a substitute for a prayer of illumination."[32] For Collins, "Daniel 9 entails a rejection of Deuteron-

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28. Bruce W. Jones ("The Prayer in Daniel IX," *VT* 18 [1968]: 488–93) rejects the idea that the prayer was added at a later stage. He defends the "authenticity" of the prayer, assuming it was written by the same author as the rest of the chapter. His argument is mainly based on the language used in both the prayer and the revelation. He admits, however, that the Deuteronomic understanding of history found in the prayer was insufficient to explain Israel's suffering and had to be rectified by Gabriel's deterministic philosophy of history. This undermines his argument of "authenticity" and indicates that the prayer was older and its theology had to be adjusted.

29. According to Redditt ("Daniel 9: Its Structure and Meaning," *CBQ* 62.2 [2000]: 236, 240) consensus that it was not written by the author of Dan 9 but is nevertheless integral to the chapter is emerging. See Redditt's summary of the debate on the unity of Dan 9 (239–41).

30. For a summary of the debate on the prayer as secondary literature, see O'Kennedy, "Vergifnis in die gebed van Daniël," 136 n. 2.

31. Redditt, "Daniel 9," 236.

32. Gerald H. Wilson, "The Prayer of Daniel 9: Reflections on Jeremiah 29," *JSOT* 48 (1990): 92.

omistic theology, not an acceptance of its influence."[33] Towner, on the other hand, sees it as modification of the older retributional scheme.[34] Restitution and restoration are expressions of an older covenant theology. They are now changed in an apocalyptic setting to become cosmic in scope and eternal in consequence.

The main problem seems to be the theological difference between the prayer and the narrative.[35] The theology of history[36] presented by the prayer is formulated in typical Deuteronomistic fashion, as it is found in all the other penitential prayers.[37] The deterministic theology of history in the narrative part is conceptualized in typical apocalyptic terms.

In the prayer, the restoration of the temple and the city relies upon YHWH's final decision. It can take place only if God fulfils his words to the prophet and forgives Israel its transgressions. Only God can reverse the fortunes of Jerusalem and remove Israel's disgrace from the temple and the city. History, however, has an ambivalent potential. God can either allow present circumstances to continue for as long as he likes or change them. He can bless his people and let their prosperity continue, even if they test him by their disobedience. According to Deuteronomistic thinking, however, there is a limit to God's patience. He will definitely change his people's fortune. He punishes them by devastating Jerusalem and by sending his people into exile. Again, he can allow this situation to continue for as long as he wishes or change it if he so wills. The penitential prayer expresses the idea that God will change history for Israel. He will do this not because of Israel but for his own sake, to show mercy to those who show remorse. History, then, signifies the righteousness of God enacted in the life of a people who confesses his glory and admits their own unworthiness before their God.

In the narrative, all history is "decreed": seventy "sevens"/weeks are decreed (נחתך, Dan 9:24); desolations have been decreed (נחרצת, 9:26); and the end is decreed (נחרצה, 9:27). All of history is decided by God. Time is arranged in peri-

33. Collins, *Daniel,* 96.

34. Towner, *Daniel,* 135–36.

35. See Collins, *Daniel*, 91.

36. Another theological aspect, "compound guilt" (see Boda, "Confession as Theological Expression," 34–39), occurs in both the prayer and the narrative. The notion of corporate guilt that links the present generation with the past generation is one of the foundations of penitential prayer. Compound guilt used in the prayer occurs in Dan 9:6, 7, 8, and 16. In the narrative, compound guilt is only found in 9:20, which is probably a redactional link between the prayer and the narrative.

37. Jones ("Daniel IX," 492–93) focuses on a "changed interpretation of history" as being at the heart of the chapter's message. Because Deuteronomistic retribution was insufficient to bridge the gap between the traditional plea of retribution and the present conviction of innocence, it was replaced by a view on history that sees the calamity as decreed according to a predetermined time that calls for patient waiting. Jones's (493) view invalidates the inclusion of the prayer as prayer in the chapter when he states that the calamity will end at the appointed time "quite apart from prayers and quite apart from previous ideas of retribution."

ods according to God's Sabbaths and Jubilees.[38] Like the prayer, everything in the narrative depends entirely on God's decision. There is, however, no ambivalence in this history. YHWH's words to Jeremiah are revealed to Daniel as a vision, the contents of which had already been decided. This is disclosed to him because he is highly esteemed. No future decision is still to be made, nor are any qualifications set down for those for whom God will change events. Daniel is simply informed of what has been decided by God. Only because God loves Daniel and his people will he redeem them at a time of his choosing. History is not a reciprocal event, as it is in the prayer, but is rather the result of a unilateral decision taken in heaven and enacted on earth.

In the penitential prayer, a specific attitude is expected from God's people. Penitence and humility are not set as conditions for circumstances to change. Only God will decide what to do and when to do it. He will, however, act in relation to those who offer repentance and humble themselves before him. They are the candidates for God's deliverance. In the revelatory narrative, the history is decreed in favor of those whom God loves. In this instance, however, no qualification is given for those whom God loves, other than them simply being those who believe in God. The disappointment with humanity and history seems to have bid farewell even to qualities such as those expected in the prayer.

While both the prayer and the narrative accentuate God's autonomy to decide on what will happen in history, they do not share the same view on God's human partners. According to Boda, the "theology of people" in penitential prayers is marked by five key theological themes.[39] These articulate the view of the people of God in penitential prayers. The themes are: (1) the people are defined by the concept of the remnant; this view directly relates to the notion of God as being both gracious and disciplinary; (2) the people are defined in terms of the land; (3) the people are defined by covenant and law; (4) the people are characterized over against the nations; and (5) the people are identified by their relationship to God.

All five themes are found in the prayer in Dan 9:4–19. In the apocalyptic narrative (9:20–27), the people are articulated only in terms of *some* of these themes. The theme of defining the people in terms of the city and the sanctuary (the land) appears in both the prayer and the narrative. This spatial notion links the people to the fortunes of Jerusalem and the temple Mount. In both the narrative and the prayer, the history of Israel is intertwined with the destruction/rebuilding of their constructed living space.

However, when it comes to defining the people in terms of a remnant, there is a difference between the prayer and narrative. While the collective guilt, as

38. For a summary of the debate on the seventy weeks of years, see Redditt, "Daniel 9," 237–39.

39. Boda, "Confession as Theological Expression," 43–45.

well as the pain and suffering referred to in the prayer, is exclusively related to Israel's disobedience, the narrative links the abomination at the temple to an anointed prince (משיח נגיד, 9:25) and his troops (עם נגיד, 9:26).[40] Although the people are still praying and confessing their sins in the narrative (a redactional link in 9:20 between prayer and narrative?), they are now guided by the knowledge of the decreed seventy periods revealed to Daniel. Penitence is no longer a primarily inward action but is now aimed at God's determined program for the reconstruction of the temple. It becomes even more of a theocentric attitude than in the prayer.

While covenant and law define the people in the prayer, they are the people who received a revelation in the narrative, which determines their attitude and expectations.[41] Their humiliating relationship with the surrounding nations, as described in the prayer (9:16), is replaced in the narrative by their relation vis-à-vis the prince and his troops and the assertion of the revelation that he will meet a decreed end (9:27). The extensive description in the prayer defines the people in terms of belonging to God, of having him as their God (9:9, 10, 13, 15, 17, 19). This is individualized in the narrative. In the focus stands Daniel, the one greatly loved by God (חמודות אתה, 9:23), receiving the good news of restoration for "his" people and "his" holy city (9:24).

This brings us to the initial question regarding the combination of prayer and narrative. Which one is to be considered the corrective to the other? Although the prayer is probably older and the connection with a younger apocalyptic narrative dates from more recent times, there is a possibility that neither is intended to be a corrective to the other. What we are dealing with here is typical Semitic thinking in which two phrases, even antithetical positions, are put in juxtaposition to express a central truth. This is a typical *montage*[42] technique where two ideas are put in synchronic relationship with each other to form a semantic frame for a new meaning that is "beyond the sum of the independent meanings."[43] Because

40. Some see two anointed princes in Dan 9.

41. Jones ("Daniel IX," 493) focused on the changed interpretation of history. He considered this composition an attempt of determinism in apocalyptic literature to provide an answer to the problem of suffering. Redditt ("Daniel 9," 236–37) focused on a periodization of history based on Sabbaths and Jubilees. According to his view, the prayer explains to the second-century community that the full restitution promised in Jer 25 and 29 has not materialized, because Israel has not yet become fervent enough. The narrative offers a timetable for such restitution. I would rather focus on the attitude expected from the people in apocalyptic circles, namely, penitence and knowledge of God's future.

42. For an explanation of the term *montage*, see Venter, "Intertekstualiteit," 336–38; idem, "Montage, Von Rad en Belydenis," *HvTSt* 53 (1997): 1187–88.

43. Robert L. Brawley, "Canon and Community: Intertextuality, Canon, Interpretation, Christology, Theology and Persuasive Rhetoric in Luke 4:1–13," in *Society of Biblical Literature 1992 Seminar Papers* (SBLSP 20; Atlanta: Scholars Press, 1992), 422.

an idea is a feat of association, a person acquires a new idea "by the combination or association of two or more ideas he already has into a new juxtaposition in such a manner as to discover a relationship among them of which he was not previously aware."[44] Whereas a *collage* of ideas forms a unity, the *montage* works with the polyphony of dictions that express in their dialogical relationship a new idea unheard of or that cannot be formulated in any other words.

In Dan 9, God's sovereignty plays the dominant role. The author(s) used an existing penitential prayer with its typical Deuteronomistic characteristics (probably influenced by priestly and Ezekielian circles) and put it on a synchronic level in *montage* with an apocalyptic narrative of his/their own time. The author(s) not only gave an apocalyptic context to the prayer but at the same time enriched his/their apocalyptic theology with the penitential content of the prayer. The prayer, but not all of the chapter, comes from older tradents of the penitential prayer. As the author(s) were primarily interested in the temple, they took this prayer with its dominant priestly concerns and linked it to their apocalyptic narrative on the temple. Being a priestly transformation,[45] the prayer came from a priestly circle with which the tradents of Daniel were either acquainted or a circle to which they could belong.

The tradent(s) of Daniel chose an understanding of history that promoted nonresistant and left social change exclusively to God. In their view, the role of humans when compared to the decisive acts of God can only be minimal. In contrast to other apocalyptic groups, such as the activist Enoch tradents and the militant Maccabean groups, they opted for an "apocalyptic modification of asceticism."[46] They actively resisted using the temple according to Antiochene prescriptions. They did not take part in any of the social events of their time. They avoided any active confrontation. All action is restricted to the mere knowledge that God is ruling and that one must wait upon him. The idea in the penitential prayers used by their fellow (nonapocalyptic) priests that God acts in relation to those who offer penitence and humble themselves before God complemented their idea that one must wait upon God to change history and to live a life of sanctification, teaching, and suffering, if need be. Continuous fasting and repentance, offering penitential prayers to God, was totally in line with their rather pedagogically orientated style of life.

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44. William Sparke and Clark McKowen, *Montage: Investigations in Language* (London: Collier-Macmillan, 1970), 2.

45. See Boda, *Praying the Tradition,* 3.

46. For this characterization, see Pieter M. Venter, "Daniël 7–12 in sosiaal-wetenskaplike perspektief," *HvTSt* 52 (1996): 624–30.

A Temple Community without a Temple

The *Trägerkreise* of Dan 9 used the tradition of the penitential prayer to enrich their apocalyptic viewpoint. They had to deal with the profanation of the temple by Antiochus Epiphanes IV, and they provided an answer from their enriched apocalyptic perspective. In a midrashic exercise, they linked the prophetic theme of the rebuilding of Jerusalem within seventy years in Jer 25:11–14; 29:10 with the first apocalyptic vision of Zechariah (1:7–17). Zechariah 1 also deals with the question of "how long" it would take before YHWH would restore the city and the temple, since seventy years had already passed. There the promise is made that YHWH will see to it that Jerusalem and the temple will be rebuilt. A progression is, however, found in the narrative in Dan 9:20–27. The seventy years is extended into seventy time units. After seven time units Jerusalem will be rebuilt and the temple rededicated (9:25). During the following sixty-two units, Jerusalem will remain intact. At the end of the sixty-ninth time unit, in the seventieth unit, the city and its sanctuary will be destroyed again (9:26). Dealing with a second "destruction," this apocalyptic school aims at presenting a survival strategy.

Their specific brand of theology is to be understood in its sociohistorical context[47] and in comparison to similar apocalyptic groups, such as those of the Enochic group.[48] These groups mainly used apocalyptic literature to formulate their ideas. An apocalypse is "a genre of revelatory literature with a narrative framework, in which a revelation is mediated by an other-worldly being to a human recipient, disclosing a transcendent reality which is both temporal, insofar as it envisages eschatological salvation, and spatial, insofar as it involves another, supernatural world."[49] These apocalypses point to both temporal and spatial reality.

The spatial reality referred to is not only transcendent but includes everyday space on earth as well. In Dan 9:1–27, theology is conceptualized not only in terms of chronological Sabbaths and Jubilees but also in spatial terms. The name Jerusalem is explicitly used five times in the passage. Reference to the city occurs four times. The temple is referred to four times. We have previously indicated how the identification of the people in relation to land (city and temple) is one of the main issues in both the prayer and the narrative. In both of them Jerusalem and the sanctuary are not mere physical entities but indicate a conceptual, sociological, and theological space.

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47. Cf. Redditt's ("Daniel 9," 241) theory that they were a community of scribes who moved to Palestine after the Seleucid takeover in 198 B.C.E.

48. For a discussion of the different apocalyptic groups, see Pieter M. Venter, "Daniel and Enoch—Two Different Reactions," *HvTSt* 53 (1997): 78–90.

49. Adela Yarbro Collins, *Cosmology and Eschatology in Jewish and Christian Apocalypticism* (JSJSup 50; Leiden: Brill, 1996), 7.

Critical spatiality is very helpful in exploring this phenomenon. As a discipline, critical spatiality is a tool for social-historical reconstruction[50] as it seeks "to reintroduce spatiality in an ontological trialectic that includes historicality, sociality, and spatiality."[51] Soja follows the ideas of Lefebvre and aims at "the ontological, epistemological, and theoretical rebalancing of spatiality, historicality, and sociality as all-embracing dimensions of human life."[52] Linking conception of space to historicality and sociality, Soja discerns three levels of space in his "dialectically linked triad": spatial practice (also called "perceived space" or "Firstspace"); representations of space (also called "conceived space" or "Secondspace"); and spaces of representation (also called "lived space" or "Thirdspace").[53] Empirical and *perceived* Firstspace is conceptualized as ideational mental space, called Secondspace. Thirdspace encloses perceived and conceived space functioning on a third level "as a strategic location from which to encompass, understand, and potentially transform all spaces simultaneously."[54]

The space referred to in apocalyptic narratives is never innocent. These narratives are always "highly politically charged narratives."[55] In the book of Revelation, all spaces referred to should be interpreted in terms of the ideology that produced them. From a mishmash of architectural styles (city walls and gates, throne room of the court, streets, gardens) imagined on a fantastic scale, using an ideology of utopia, an imagined space is created to bring readers peace and hope. For Pippin this means that the "political center of Jews and Christians is refurbished and reconstructed as heavenly space."[56] Kathryn M Lopez aimed at "reading the space created by apocalyptic" in Daniel and *1 Enoch* and "uncover the maps of space that the Jewish apocalypses are creating."[57] Apocalyptic communities were political groups committed to the transformation of their society. They created spaces in their narratives that were in direct conflict with the definitions of space found in the other contemporary groups. Apocalyptic writings should be understood as strategies of resistance. In their writings, apocalyptic

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50. Claudia V. Camp, "Storied Space, or Ben Sira 'Tells' a Temple," no pages. Online: http://www.gunnzone.org/Space/BenSira_Space.htm.

51. James W. Flanagan, "Ancient Perceptions of Space/ Perceptions of Ancient Space," *Semeia* 87 (1999): 26.

52. Edward W. Soja, *Thirdspace: Journeys to Los Angeles and Other Real-and-Imagined Places* (Oxford: Blackwell, 1996), 10.

53. Ibid., 65.

54. Ibid., 68.

55. Tina Pippin, "The Ideology of Apocalyptic Space" (paper presented at the Construction of Ancient Space Seminar at the Society of Biblical Literature Annual Meeting, Atlanta, November 2003), 14.

56. Ibid., 8.

57. Kathryn M. Lopez, "Standing before the Throne of God: Critical Spatiality in Apocalyptic Scenes of Judgment" (paper presented at the Construction of Ancient Space Seminar at the Society of Biblical Literature Annual Meeting, San Antonio, Texas, 23 November 2004), 9, 2.

writers created a "real-and-imagined"[58] space to resist the definitions of Israel placed upon them as colony. The Thirdspace they created strives to present their world as the real world in which they are to live in opposition to the imagined space that they opposed. Lopez argues that "the Thirdspace strategies of apocalyptic writings are an attempt to make those 'longed-for expectations' the lived space of groups who hold them."[59] These ideas can be applied to the spatial references to Jerusalem and the temple in Dan 9.

The city and the temple are perceived primarily as destructible and reconstructible constructions. The physical or real city is indicated here in terms of the "devastation of Jerusalem" (חרבות ירושלם, Dan 9:2) and the city that is to be restored and rebuilt (להשיב לבנות ירושלם, 9:25). City and sanctuary (העיר והקדש, 9:26) will again be destroyed after sixty-two weeks. The extent of the devastation is hyperbolically described as something that had occurred as had never before happened under the whole heaven (נעשתה תחשׂכל־השמים, 9:12). This devastation is inclusive and includes city and sanctuary (9:16, 26) as well as its inhabitants (9:7, 16, 24).

This devastation is of heavenly proportions and has theological meaning. In terms of critical spatiality, Jerusalem and the sanctuary indicate a Secondspace or conceived space. These physical constructions are conceived in terms of the relationship between YHWH and his people. The devastation is seen in Deuteronomistic terms as God's punishment for Israel's disobedience. When the city was devastated (9:7), shame overcame the inhabitants. The city became a disgrace among all those around it because its devastation was indicative of the displeasure of Israel's God with them (9:16). YHWH's anger and wrath came upon Jerusalem, and these must be deflected from the city and its sanctuary (9:16). To Daniel, the city is holy (9:24) because it bears YHWH's name (9:18, 19). The sanctuary belongs to YHWH (מקדשך, 9:17). It is God's holy mountain (הר קדשׁ, 9:20). He decides on its fortunes and decrees seventy sevens for its rededication (9:27). The city and its sanctuary signifies much more than mere entities located in a place known as Jerusalem, which can be destroyed and rebuilt again. A whole theology is created around this location, sometimes also known as Zion theology.

Jerusalem and the temple function on the level of Thirdspace strategy in Dan 9. They represent a space of resistance. The Daniel tradents experienced severe inconsistency between the desecrated complex of the temple and their apocalyptic ideology of the city and its sanctuary. Jerusalem and its temple played a central role in the theological conceptualization of the Daniel *Trägerkreise*. The temple became unfit for its role as the sacred center of Israel, first during Nebuchadnezzar's invasion of Jerusalem (587 B.C.E.) and again with Antiochus Epiphanes' promotion of the cult of Baʿal Shamen on the altar of the temple (167

58. See Soja, *Thirdspace*.

59. Lopez, "Standing before the Throne of God," 7.

B.C.E.) What happened to the temple when Antiochus set up an image of Zeus in the temple and ordered the sacrifice of swine's flesh is superimposed upon the events between 597 and 581, when the city and its sanctuary were destroyed by the Chaldeans. In both instances the temple was "destroyed." Therefore, Israel had to deal with a "devastated" temple, a sanctuary that became totally unfit to function as a mythological symbol.[60] As indicated in the narrative of Dan 1, the book is dealing with the absence of the holy temple as the center and the efforts of Daniel and his companions to function despite its absence.[61] The liturgical tradition is continued with fasting and penitential prayers. Even the chronological liturgical pattern is followed. Gabriel appeared to Daniel at the time of the evening sacrifice (9:21). But all of this takes place away from the physical space of the temple. Even when the temple was decommissioned, they persisted with the temple ordinances.

This cognitive dissonance between idealized temple and "devastated" sanctuary is handled by the Daniel tradents from an apocalyptic viewpoint.[62] The temple of their day is "destroyed," but they believed that "der wahre Tempel mit dem wahren Allerheiligsten erst in der Heilszeit wiedererichtet würde" ["the real temple with the true holy of holies will be rebuilt again only in the time of salvation"].[63] As in *1 En*. 89:72b–73 and 93:7, "the temple of the glorious kingdom will be built forever" at the end of time.[64] This expectation is projected back into their own time. The event of fasting and offering penitential prayers in which they partook was obviously removed from the temple of their day. According to the revelation of the narrative in Dan 9:20–27, the sacrifice and offering have been closed down by the desolator and replaced by an "abomination that desolates" (9:27). It is even plausible that the liturgical service was conducted away from the city of Jerusalem. Regardless of where the occasion was performed, it was done in that third future-projected theological and ideological mythological space created by their apocalyptic view of the temple. It became a space of representation of the temple of the future. They were not at the physical temple, but they acted and behaved in terms of the meaning of the temple, "spiritually being in the temple

60. Another possibility is that the circumstances of their times caused the second-century tradents of Daniel to believe that the rebuilding of the temple in 516 B.C.E. was not the ultimate restoration promised in Jeremiah (see Redditt, "Daniel 9," 243–44).

61. Marvin A. Sweeney, "The End of Eschatology in Daniel? Theological and Socio-political Ramifications of the Changing Contexts of Interpretation," *BibInt* 9 (2001): 129.

62. The idea that the sanctuary in heaven corresponds with the temple on earth could have contributed to the apocalyptic dilemma. This correspondence was suddenly deemed to be null and void, which endangered the symbolic universe of the faithful.

63. Jürgen-Christian Lebram, *Das Buch Daniel* (ZBK; Zürich: Theologischer Verlag Zürich, 1984), 108.

64. George W. E. Nickelsburg, *1 Enoch 1: A Commentary on the Book of 1 Enoch, Chapters 1–36* (Hermeneia; Minneapolis: Fortress, 2001), 434.

and liturgically offering the daily sacrifice."[65] This socially and theologically constructed sense of the temple guided their conduct and obscured the existential reality of the profaned building of the temple. Drawing upon the tradition of the now-defunct temple and focusing on the expected temple of the last days, they experienced the place where they performed their liturgy as representative of God's heavenly temple. In this way they constituted the locus where they were as a sanctuary where God's sovereignty is confessed. It is a generic space conceptualized as sacred space by their ideological conceptions.

The theological contents of the traditional penitential prayer enhanced the experience of the liturgical occasion in this generic space. This combination of prayer and narrative not only helped the Daniel tradents to cope with a situation of an unusable sanctuary, but it also enriched the value of their brand of apocalyptic modification of asceticism. The new living space created and influenced by their ideological space is one of sanctification, teaching, and also of continuous fasting and repentance, offering penitential prayers to God. Daniel's community did not simply "constitute itself as a penitential movement."[66] Rather, their fasting and penitence established the place where they worshiped as holy space. With this, an ideological matrix was created for penitential prayers conducted in the synagogue.

65. Lacocque, "The Liturgical Prayer in Daniel 9," 142.
66. Ibid., 141.

Penitential Prayer in the Second Temple Period from the Perspective of Baruch

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Introduction

In the burgeoning discussion of penitential prayer in Second Temple Judaism, Bar 1:15aα–3:8 has not gotten the same close attention as other exemplary texts such as Ezra 9:6–15 and Neh 9:6–37.[1] Rodney Werline, in his survey of the entire period, reckons the prayer of Baruch among his major examples, but generally this text has been passed over even when the discussion extends to include such similarly late texts as Dan 9:4–19.[2] Perhaps this avoidance is due to an understandable tendency to focus on canonical as opposed to apocryphal/deutero-canonical texts or a tendency to privilege earlier texts as precedent-setting examples in the development of penitential prayer. Perhaps it is simply because of the puzzling historical incongruities that make the various parts of the book of Baruch difficult to date. In any case, if we are to gain a good understanding of penitential prayer in the Second Temple period, we must at some point take into account this relatively late and quasi-canonical example of the phenomenon, just as we have also broadened the scope of the discussion to include the extrabiblical examples in the texts from Qumran.[3]

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1. Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998); Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999); Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999); Richard J. Bautch, *Developments in Genre between Post-exilic Penitential Prayers and the Psalms of Communal Lament* (SBLAcBib 7; Atlanta: Society of Biblical Literature, 2003).

2. Werline, *Penitential Prayer*, 87–108. His analysis assumes a Hasmonean date and a dependence on Dan 9:1–27.

3. E.g., Esther G. Chazon, "Prayers from Qumran and Their Historical Implications," *DSD* 1 (1994): 265–84; Bilhah Nitzan, *Qumran Prayer and Religious Poetry* (STDJ 12; Leiden: Brill,

Baruch 1:15–3:8 is a particularly interesting example of penitential prayer because of its unusual context. There is not only a narrative description of the occasion on which the prayer was first used (1:3–7), as is also the case in Ezra 9–10, Neh 9–10, and Dan 9, but there are also directions for this prayer's ongoing use (1:10–14). When the prayer is read in light of these particular contextual elements, as well as the larger context of the book as a whole, it can be seen to reflect a fairly well-developed concept of penitential prayer in both theory and practice. Viewed from this perspective, the text speaks directly to issues that have figured prominently in recent scholarly discussion, in some cases suggesting a need to redefine the terms and categories of the discussion. The goal of this essay is to hear what Bar 1:15–3:8 has to say in this regard. We will leave aside, as far as possible, questions of dating and provenance, assuming only the consensus view that it is a relatively late text from the Second Temple period, which gives a probably fictional description of an exilic incident.[4] We will focus instead on the way in which the text conceptualizes penitential prayer, assuming that it expresses how at least some Second Temple Jews viewed it and taking this as a point of departure for rethinking some of our scholarly constructs.

The Book as a Whole

I.	Heading: "These are the words of the book…"	1:1–2
II.	Report of the book's first reading	1:3–5:9
	A. Reader's action: "Baruch read the words…"	1:3–4
	B. Audience's reaction	1:5–5:9
	1. Ritual actions performed "before the Lord"	1:5
	2. Collection of money	1:6–5:9
	a. How they collected it: "Each giving what he could"	1:6
	b. What they did with it: "They sent it"	1:7–9
	c. What they requested its recipients to do: "And they said…"	1:10–5:9
	1) Make offerings	1:10
	2) Pray	1:11–13
	a) For Nebuchadnezzar and his son	
	b) For us	
	3) Read this book	1:14–5:9

1994); and Daniel K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (STDJ 27; Leiden: Brill, 1998).

4. Anthony J. Saldarini, "The Book of Baruch: Introduction, Commentary, and Reflections," *NIB* 6:929–34; Odil Hannes Steck, *Das apocryphe Baruchbuch: Studien zur Rezeption und Konzentration "kanonischer" Überlieferung* (FRLANT 160; Göttingen: Vandenhoeck & Ruprecht, 1993), 245–313.

a) Why read: "To make your confession in the house of the Lord" 1:14
b) What to read 1:15–5:9
(1) Directive: "And you shall say…" 1:15aα
(2) Text to be read 1:15aβ–5:9
(a) Penitential prayer 1:15aβ–3:8
(b) Wisdom instruction 3:9–4:4
(c) Prophetic exhortation 4:5–5:9

The text of Baruch takes the form of a report narrating the origins of a prayer book. The introductory heading (1:1–2) tells who wrote this prayer book, as well as where and when it was written, also naming the author's ancestors with a five-generation genealogy. The main body of the text (1:3–5:9) reports what happened when the prayer book was first read publicly: who was there to hear it (1:3–4) and how the audience responded (1:5ff.). Their reaction included sending a copy of this prayer book to co-religionists elsewhere, along with directions regarding how to use it. The recipients of the prayer book are to read it aloud in a ritual context, in order to "make [their] confession" (1:14). The contents of the prayer book are given under the rubric of what is to be said when this ritual is performed (1:15aα). The verbal acts of this ritual include: (1) a penitential prayer for making confession (1:15aβ–3:8); (2) a sapiential instruction extolling yet another book, "the book of the commandments of God" (3:9–4:4); and (3) a prophetic exhortation encouraging its hearers to have hope in the future that God is creating for them (4:5–5:9).

The time frame within the narrative is not clearly marked. The initial date formula, "in the fifth year on the seventh day of the month" (1:2a), does not specify either the event from which the year is counted or the month in question. The other date that is given, "the tenth day of Sivan" (1:8), does not help to clear up this ambiguity. Is this still in "the fifth year," and is Sivan also the previously unnamed month? Ambiguity turns into confusion, at least for the modern reader, when Belshazzar is subsequently identified as Nebuchadnezzar's son (1:11), because according to our reconstruction of Babylonian history Belshazzar was actually the son of and co-regent with Nabonidus, who seized the throne several years after Nebuchadnezzar died.

Despite this chronological blur, the reported action is clearly sequenced in relation to two signal events. First, Baruch writes the prayer book in Babylon sometime after "the Chaldeans took Jerusalem and burned it with fire" (1:2b), that is, sometime after the city was destroyed and much of its population deported to Babylon in 587/6 B.C.E. (2 Kgs 25:1–21). In line with this perspective, the prayer of penitence seems to presuppose that the temple lies in ruin (2:26). The presence of King Jeconiah (alias Jehoiachin) indicates that Baruch's audience included some who had been deported earlier in 597 (2 Kgs 24:10–16), but

the production of the prayer book is clearly subsequent to the final destruction of Jerusalem. Second, the sending of the prayer book to Jerusalem is associated with the return of sacred vessels to the temple there (1:8–9). These vessels are described in detail as the silver ones commissioned by Jeconiah's successor, Zedekiah, to replace those looted by the Babylonians when the first deportees were taken away in 597 B.C.E. These replacements were presumably brought to Babylon in the same way after the final destruction of the temple in 587/6. The agent of the action described in 1:8 is not clearly identified, nor is it clear whether he is taking the vessels to Jerusalem or receiving them there, nor is it clear whether the expedition to return them is coincident with the sending of the book.[5] In any case there is a return of the vessels.

This business with the temple vessels leads into another anomaly, because the return of temple vessels is a motif that conventionally connotes the restoration of the cult in question.[6] Mere connotation gives way in 1:10 to the explicit description of a fully functioning cult, in which burnt offerings, sin offerings, incense, and cereal offerings are presented "on the altar of the Lord our God." According to the report, the prayer book that Baruch wrote and publicly read from in Babylon is now being sent to Jerusalem, where it will be similarly used by those who participate in the sacrifices at God's altar. Here the reader is confronted, not just with an incidental discrepancy, but with a fundamental tension on which the narrative is centered. Although the action takes place entirely under Babylonian rule, during which the temple was destroyed, the restoration of Jerusalem's sacrificial cult, either coincident with or prior to the sending of the prayer book, is also presupposed. Thus the "Babylonian exile" is presented schematically in the abstract—this alien hegemony extending from Nebuchadnezzar to Belshazzar—as if it were a condition that persists even after the "restoration" happens. The report recognizes that the Jerusalem temple sanctuary has been restored, as it was in the reign of the Persian emperor Darius II (ca. 516 B.C.E.), but it superimposes on this situation the time frame of Babylonian rule (597–539 B.C.E.), as if to say that, "although there has been a return and a resumption of sacrificial rites in Jerusalem, we are still, in effect, in exile." Thus the ongoing and growing reality of the Jewish Diaspora from the Persian period onward is metaphorically compared with exile, implying that it is a temporary condition that will someday be reversed by a more complete restoration and return (4:36–5:9). Texts that similarly conceive of the exile as somehow extending into the restoration generally do

5. Most translations and commentators resolve this ambiguity by making Baruch the agent, but the antecedent of the third-person singular masculine pronoun αὐτὸν in 1:8 would normally be the nearest preceding proper noun, i.e., Jehoiakim (1:6), and λαμβεῖν can mean either "take" or "receive."

6. Peter R. Ackroyd, "The Temple Vessels—A Continuity Theme," in *Studies in the Religion of Ancient Israel* (VTSup 22; Leiden: Brill, 1972), 166–81.

so in order to discredit the renovated cult, implying that it is not legitimately and authentically restored, but in this case the implication is that the rededication of the old royal sanctuary in the reign of Darius was only the beginning of a restoration process that is not yet finished.[7]

Seen in this light, the assembly described in 1:3–5 is not only the kind of ad hoc gathering that took place during the exile, like the gathering of elders that came to sit with the priest/prophet Ezekiel in order "to inquire of YHWH" (Ezek 20:1; cf. 8:1; 14:1). It is also the kind of proto-synagogue assembly that eventually became the more or less established pattern throughout the postexilic Diaspora. The text reflects a particular concept of how such local assemblies are related to the sacrificial cult in Jerusalem. Like the temple, the local assembly constitutes a sacred space where the divine is present. Its ritual actions are also performed "in the Lord's presence" (ἐναντίον κυρίου). Sacrifices are not performed in the local assembly, as they are in the temple. However, the ritual of penitence is considered as appropriate for the temple congregation as it is for the local assembly. This ritual originates in the local assembly, and a book containing the liturgical texts for it is sent to the temple congregation with instructions for them to use it periodically. In addition to the penitential prayer that is recited as the book is read aloud, some other kind of prayer is also involved (1:5). Judging from subsequent instructions for the Jerusalem congregation to "pray for Nebuchadnezzar, king of Babylon" (1:11) and to "pray for us" (1:13), this may well be intercessory prayer. Thus the text clearly imagines the relationship between proto-synagogue and sacrificial cult as a complementary one.[8] Participants in the local assembly look to Jerusalem as the place where sacrifices can be offered on their behalf and view themselves as fellow participants with the temple congregation in periodic rituals of penitence. It appears that worshipers in both groups also have in common their prayer for the welfare of the empire and for the welfare of Jews everywhere, as well as prayer for one another.

As for the ritual of penitence itself, it includes some elements that are carefully scripted as well as some that are relatively spontaneous. Three parts of the liturgy are performed by an officiant reading them aloud from the prayer book: (1) penitential prayer (1:15aβ–3:8); (2) sapiential instruction (3:9–4:4); and (3) prophetic exhortation (4:5–5:9). Then follow weeping and fasting—the fast is called for in the ritual, but, of course, it is actually kept in the course of the community's daily routine—as well as additional relatively informal (intercessory?)

7. Michael A. Knibb, "The Exile in the Literature of the Intertestamental Period," *HeyJ* 17 (1976): 253–72, esp. 268–69.

8. Donald D. Binder (*Into the Temple Courts: The Place of the Synagogues in Second Temple Judaism* [SBLDS 169; Atlanta: Scholars Press, 1999]) argues that this is generally how synagogues came to be viewed. Here, however, we are concerned only with the perspective reflected in the narrative world of the text of Baruch, not the social reality of the world behind the text.

prayer (1:5). The reader is not told what occasions the local assembly. It does not appear to be a particular calamitous event. It is simply the condition of being in exile that calls for penitence. The instructions given to the temple congregation suggest that the ritual of penitence is a liturgical form intended for periodic use, but there is no indication of exactly when or how often. The text rather ambiguously says that the congregation is to make their confession "on the day of the feast and on the days of the festival season" (1:14).[9] This does not provide a sufficient basis on which to associate this ritual thematically with any particular holy day(s) of the Jewish calendar.

When the penitential prayer is viewed in connection with the other parts of the ritual, the dominant concept seems to be "the Law and the Prophets." The sapiential instruction (3:9–4:4) systematically develops the theme of the Torah as divine wisdom: "She [Wisdom] is the book of the commandments of God and the law that endures for ever" (4:1). The concluding exhortation (4:5–5:9) is prophetic, not only in the obvious sense that the speaker once tellingly uses first-person oracular discourse (4:34), but also in the sense that he claims to discern a future cosmic outcome that the Lord is bringing about, describing it in terms that often echo Deutero-Isaiah: "God has ordered that every high mountain and the everlasting hills be made low, and the valleys filled up to make level ground, so that Israel may walk safely in the glory of God" (5:7; see Isa 40:4; 42:16b). There is no explicit indication that the ritual included lections from the Pentateuch or the prophetic books, but Neh 9 describes a Torah-reading as the accompaniment of a similar prayer of penitence.[10] Perhaps the reading of a Torah portion and/or *haftarah* is assumed to be an integral part of the ritual, or perhaps the ritual recalls such lections done on another occasion in a different context. In any case, the text clearly connects the periodic ritual practice of penitence with the concept of "the Law and the Prophets," which emerges in the Second Temple period as the proto-canonical organizing principle for a collection of sacred scripture.

The Prayer of Penitence (1:15aα–3:8)

I.	Admission of guilt	1:15aβ–2:10
	A. Admission of sinfulness	1:15aβ–2:5
	B. Admission of failure to repent	2:6–10
II.	Prayer for mercy: Twofold request	2:11–3:8
	A. First request	2:11–35
	B. Second request	3:1–8

9. Saldarini, "Book of Baruch," 946.

10. Dan 9 also associates a prayer of penitence with the interpretation of a prophetic text, but not in a ritual context.

The penitential prayer itself has two main sections, an admission of guilt (1:15aβ–2:10) and a prayer for mercy (2:11–3:8), connected by the rhetorical hinge phrase "and now…" (2:11aα). The admission of guilt has two subsections (1:15aβ–2:5; 2:6–10), each based on a fundamental contrast between God's "righteousness" and the people's "confusion of face" (1:15aβ; 2:6). The first of these subsections (1:15aβ–2:5) is an admission of sinfulness with the following structure:

I.	The present situation	1:15aβ–16
	A. Vis-à-vis the Lord: "righteousness"	1:15aβ
	B. Vis-à-vis "us": "confusion of face"	1:15b–16
II.	Explanation of this state of affairs	1:17–2:5
	A. General explanation: confession of sin	1:17–18
	B. Twofold historical explanation	1:19–2:5
	1. Historical scope of Israel's sinfulness: from the exodus until today	1:19–20
	2. Historical manifestation of Israel's sinfulness: consequences of not heeding the Lord's voice	1:21–2:5

In this case, "confusion of face" results from sins committed by the people and their ancestors. Their history of sinfulness extends chronologically from the exodus until "today" (1:19a). Its scope first focuses demographically on Judah (1:15b) and then widens to include the old northern kingdom of Israel, as the chronology further distinguishes between the time of the tribal league and the time of the monarchy (2:21b). The people's sinfulness substantively consists of "not heeding the voice of the Lord our God," which is defined first in terms of the Law ("not walking in the statutes of the Lord," 1:18b) and then in terms of the Prophets ("not heeding the words of the prophets whom he sent to us," 1:21a). Thus they are now under the curse described in the law of Moses as the consequence of infidelity, exemplified by the cannibalistic behavior (2:3) listed in Deut 28:53 and Lev 26:29 as one among many calamities with which an unfaithful Israel may be cursed. Likewise, the Lord has "confirmed his [prophetic] word that he spoke against us" by "giving them into subjection to all the kingdoms" (2:1a, 4a).

The complementary subsection (2:6–10) is an admission of failure to repent, structured as follows:

I.	The present situation	2:6
	A. Vis-à-vis the Lord: "righteousness"	2:6a
	B. Vis-à-vis "us and our fathers": "confusion of face"	2:6b
II.	Explanation for this state of affairs: failure to repent	2:7–10
	A. Failure to change the inward disposition of the heart	2:7–8
	B. Failure to change outward behavior contrary to the Lord's statutes	2:9–10

In 2:6–10, in view of the emphasis previously given to the historical dimension of Israel's sinfulness, "confusion of face" is a condition that now is seen to characterize the ancestors, too (2:6; cf. 1:15). Here, however, the admission of guilt is predicated on a failure to repent rather than on sins actively committed. The inner disposition of the heart has not changed (2:8), and therefore their outward behavior is still incommensurate with "the Lord's statutes" (2:10).

Just as the admission of guilt (1:15aβ–2:10) is divided into two subsections (1:15aβ–2:5; 2:6–10), the prayer for mercy (2:11–3:8) is also divided into two subsections (2:11–35; 3:1–8). The subsections of the admission of guilt are, in a sense, thematically parallel to those of the prayer for mercy. In the first subsection of the prayer for mercy (2:11–35), the request for God's anger to "turn away" is predicated on a possibility discovered by reading Israel's history in light of God's word, just as the admission of guilt in the first subsection (1:15aβ–2:5) is predicated on self-accusations similarly discerned by reading Israel's history in light of the Law and the Prophets.

In the second subsection of the prayer for mercy (3:1–8), the request is predicated on a recovered capacity for repentance, whereas the admission of guilt in the second subsection (2:6–10) is conversely predicated on the failure to repent. The first request for mercy (2:11–35) is structured as follows:

I.	Invocation	2:11
II.	Confession of sin	2:12
III.	Supplication	2:13–35
A.	Basic petition: "Let your anger turn away…"	2:13
B.	Supporting pleas	2:14–35
1.	For God's action	2:14–15
a.	Petition: "Deliver us"	2:14
b.	Outcome: worldwide recognition	2:15
2.	For God's consideration	2:15–35
a.	Petitions: "Think of us…"	2:16–17a
b.	Motivation	2:17b–35
1)	With respect to ascribing glory and righteousness to the Lord	2:17b–18
a)	Who *will not* do so: "the dead in Hades"	2:17b
b)	Who *will* do so: "one who is deeply distressed"	2:18
2)	With respect to "bringing before the Lord this prayer for mercy"	2:19–35
a)	Basis on which we *will not* do so: "any righteous deeds of our fathers"	2:19–26
b)	Basis on which we *will* do so: the Lord's mercy	2:27–35

Running through this portion of the text is a fundamental contrast between what *is not* the case and what *is* the case. In language reminiscent of the

reproaches from complaint psalms, a contrast is drawn between the dead who are dispirited and the living who are distressed with respect to who will praise God. It *is not* the case that the dead will "ascribe glory and righteousness to the Lord," but it *is* the case that the distressed will do so (2:17–18). In complaint psalms such reproaches generally serve to motivate God to act, and that is partly the function of the similar language here.[11] However, this contrast between the dead and the living also initiates the development of a central theme in this subsection, namely, that Israel has now reached a turning point at which they may possibly overcome the consequences of sins committed by previous generations now dead and gone. Hence the second contrast with respect to the basis on which living supplicants in distress make their request for mercy. It *is not* the case that they based their request on any of their ancestors' righteous deeds—for there are virtually none (2:19–26). It *is* the case that they base their request on the Lord's merciful gift of the possibility of repentance, as he promised in the law of Moses (2:27–35; see Deut 30:1–5).

The structure of the second request for mercy (3:1–8) is relatively more complex:

I.	Twofold appeal	3:1–7
	A. First appeal	3:1–3
	1. Invocation	3:1a
	2. Characterization of supplicants: "distressed" and "dismayed"	3:1b
	3. Supplication	3:2–3
	a. Plea for attention: "Hear!"	3:2aα
	b. Petition: "Have mercy!"	3:2aβ
	c. Motivation	3:2b–3
	1) Confession of sin	3:2b
	2) Contrasting description of parties involved	3:3
	a) Vis-à-vis God: "You are enthroned for ever"	3:3a
	b) Vis-à-vis "us": "We are perishing for ever"	3:3b
	B. Second appeal	3:4–7
	1. Invocation	3:4aα
	2. Plea for attention: "Hear!"	3:4aβ
	3. Characterization of supplicants: the dead and their children "who did not heed the Lord's voice"	3:4b
	4. Supplication	3:5–7
	a. Twofold petition to "remember"	3:5
	1) Negatively expressed: "Do not remember the iniquity of our fathers"	3:5a

11. See p. 70 below.

2) Positively expressed: "Remember your power and your name" 3:5b

b. Motivation: twofold complementary description of parties involved 3:6–7

1) With respect to praise 3:6

a) Vis-à-vis God: "You are the Lord our God" 3:6a

b) Vis-à-vis "us": "We will praise you" 3:6b

2) With respect to disposition of the heart 3:7

a) Vis-à-vis God 3:7a

(1) Basic action: "You put fear in our heart" 3:7aα

(2) Outcome: "So that we call on your name" 3:7aβ

b) Vis-à-vis "us" 3:7b

(1) Basic action: "We will praise you in our exile" 3:7bα

(2) Motivation: "We have put away from our heart the iniquity of our fathers" 3:7bβ

II. Summary description of present situation 3:8

A. Status: in exile 3:8a

B. Reason to be in this condition: to be punished … 3:8b

After expressing an appeal for mercy in the most general form (3:1–4)—those in distress cry out to God for mercy—the second appeal gives more detail (3:5–7). A distinction is made between the ancestors and their children. Both are sinful, but the ancestors did not repent. Therefore, God is asked to forget the sins of the ancestors and to remember that he has empowered the exiles to repent, as they are now doing, and that his reputation (his "name") depends on the fulfillment of the restoration that he promised on the condition of their repentance (2:30–35). In conclusion, a description of the exiles' present plight is starkly and summarily reiterated (3:8).

Allusions to Other Texts

Intertextual and traditio-historical studies have amply demonstrated that prayers of penitence are generally characterized by extensive allusions to other biblical passages, and Baruch is no exception.[12] The text's uncertain linguistic history, however, makes close phraseological analysis somewhat tenuous. If the original language was Hebrew, as is commonly believed,[13] the allusions would have been based on correspondences with other Hebrew texts and would have then been subsequently translated into the extant Greek text. In this event, ostensible allusions in the extant Greek text of Baruch should not be expected to repeat the LXX

12. Most notably, Newman, *Praying by the Book*, and Boda, *Praying the Tradition*.

13. Saldarini, "Book of Baruch," 930–31; Steck, *Das apocryphe Baruchbuch*, 249–53.

of other passages verbatim. In fact, however, Baruch's prayer of penitence sometimes does repeat the LXX verbatim. This can perhaps be explained as a result of the same convention of translation being operable in both cases, rather than in terms of Baruch actually quoting the LXX, but it might also add evidence to the case for Baruch's being originally composed in Greek.

In the case of allusions to Jeremiah, the whole matter becomes even more complicated in view of the complex relationships among that book's various Greek and Hebrew versions.[14] Rather than presuppose any particular theory of Baruch's linguistic history and of the particular version(s) of Jeremiah alluded to by Baruch, here we will look for general similarities between the diction of Baruch's penitential prayer and other passages—similarities of a sort that might be recognizable on the basis of any such theory. As it turns out, correspondences between Baruch and certain other texts tend to cluster in a way that clearly demonstrates an allusion to these particular texts, even if some of the correspondences are individually questionable in view of the linguistic complications just described.

Leviticus 26

This text contrasts the positive consequences of obeying YHWH's commandments (26:3–13) with the negative consequences of disobeying them (26:14–32). It concludes with a description of Israel's eviction from the land and the consequent Diaspora (26:33–39), in which they can regain YHWH's favor by "confessing their iniquity and the iniquity of their ancestors" (26:40–45).

Lev 26:22 I will make you *few in number*	Bar 2:13 we are left *few in number*
Lev 26:29 You shall *eat the flesh of* your *sons*, and you shall *eat the flesh of* your *daughter*s.	Bar 2:3 that we should *eat*, one *the flesh of* his *son* and another *the flesh of* his *daughter*
Lev 26:33 I will *scatter* you *among the nations*	Bar 2:13 (also 2: 4, 30; cf. 3:8) we are left … *among the nations* where you have *scattered* us
Lev 26:38 you shall *perish*	Bar 3:3 we are *perishing* forever

14. Emanuel Tov, *The Septuagint Translation of Jeremiah and Baruch: A Discussion of an Early Revision of the LXX of Jeremiah 29–52 and Baruch 1:1–3:5* (HSM 8; Missoula, Mont.: Scholars Press, 1976).

Lev 26:39 those who *are left*	Bar 2:13 we *are left*
Lev 26:39–40 *the iniquity … iniquities of their fathers*	Bar 3:7–8 *the iniquity … iniquities of our fathers*
Lev 26:41 if their uncircumcised *heart* is humbled	Bar 2:31; 3:7b I will give them a *heart* that obeys; we have put away from our *hearts* all the iniquity of our fathers
Lev 26:42 I will remember my covenant with *Jacob* … with *Isaac*, and … with *Abraham*	Bar 2:34 the land that I swore to give … to *Abraham* and *Isaac* and to *Jacob*
Lev 26:44–45 I will not break my *covenant* with them…, but I will … remember the *covenant* with their forefathers	Bar 2:35 I will make an everlasting *covenant* with them

Deuteronomy 4:26–31

Moses warns the Israelites to obey Yhwh's commandments (4:1–8), retrospectively reviewing what happened at Sinai (4:9–24) and prospectively envisioning what will happen as a result of their disobedience when they come into the land (4:25ff.). They will lose the land, but in the Diaspora they will repent and regain Yhwh's favor (4:26–31).

Deut 4:26 you will soon utterly *perish*	Bar 3:3 we are *perishing*
Deut 4:27 Yhwh will *scatter* you *among the peoples*	Bar 2:13 (also 2:3, 29) we are left … *among the nations* where you have *scattered* us
Deut 4:27 you will be *left few in number*	Bar 2:13 we are *left few in number*
Deut 4:28 you will *serve gods* of wood and stone	Bar 1:21 *serving* other *gods*
Deut 4:30 you will *turn* to Yhwh	Bar 2:33 they will *turn*
Deut 4:30 you will *obey his voice*	Bar 2:18 and *passim* we have not *heeded his voice*

Deut 4:31 YHWH will not forget the *covenant* with your fathers	Bar 3:35 I will make an everlasting *covenant* with them

DEUTERONOMY 28

Moses warns the Israelites to obey YHWH's commandments, describing the blessings that will ensue if they do (28:1–14) and the curses that will ensue if they do not (28:15–68).

Deut 28:1–2 , 15 if you *obey the voice* of YHWH	Bar 2:18 and *passim* we have not *heeded his voice*
Deut 28:10 *all* the peoples of the *earth* will see that you are *called by* YHWH's *name*	Bar 2:15 *all* the *earth* may know that you are the Lord our God, for Israel and all his descendants are *called by* your *name*
Deut 28:11 YHWH will make you *increase*	Bar 2:34 I will *increase* them
Deut 28:13 you will be *high* and *not* be *low*	Bar 2:5 they were made *low* and *not high*
Deut 28:20 until you … *perish*	Bar 3:3 we are *perishing* forever
Deut 28:36, 64 you will *serve other gods*	Bar 2:21 *serving other gods*
Deut 28:37 you will become a horror, a proverb, and a byword *among all* the nations	Bar 3:4 to be a reproach and a desolation *among all* the surrounding peoples
Deut 28:53 you will *eat* … the *flesh* of your *sons* and *daughters*	Bar 2:3 that we should *eat,* one the *flesh* of his *son* and another the *flesh* of his *daughter*
Deut 28:62 you will be *left few in number*	Bar 2:13 we are *left few in number*
Deut 28:64 YHWH will *scatter* you *among the nations*	Bar 2:13 (also 2: 4, 30; cf. 3:8) we are left … *among the nations* where you have *scattered* us

Deut 28:62 YHWH will give you a trembling heart and *failing eyes* and a languishing soul	Bar 2:18 the person who is greatly distressed, who goes about bent over and feeble, and the *eyes* that are *failing*, and the person who hungers

DEUTERONOMY 30

Moses foresees that when the Israelites are in exile because of their disobedience, they can repent and be restored to their land, where they will again be faced with the decision of whether or not to obey the commandments.

Deut 30:1 you will *turn* your *heart*	Bar 2:30 they will *turn* their *heart*
Deut 30:2 (and 30:10) you will *turn* to YHWH your God	Bar 2:33 they will *turn*
Deut 30:3 (cf. 30:1) *among* all *the nations where* YHWH your God has *scattered* you	Bar 2:13 (also 2: 4, 30; cf. 3:8) *among the nations where* you have *scattered* us
Deut 30:6 YHWH your God will circumcise your *heart*	Bar 2:31 I will give them a *heart* that obeys
Deut 30:8 (also 30:2) you will again *obey* the *voice* of YHWH	Bar 2:18 and *passim* we have not *heeded* his *voice*
Deut 30:8 (also 30:16; cf. 30:11) *his* commandments *that* I *command* you	Bar 2:9 *his* works *that* he has *commanded* us
Deut 30:16 *walking* in his ways and keeping … his *statutes*	Bar 1:18 (and 2:10) *walk* in the *statutes* of the Lord
Deut 30:17 if your *heart* turns away	Bar 2:21 we each followed the intent of his own wicked *heart*
Deut 30:17 to worship *other gods* and *serve* them	Bar 2:21 *serving other gods*
Deut 30:18 you will *perish*	Bar 3:3 we are *perishing* forever

Deut 30:20	Bar 2:34
the land that YHWH *swore to give to* your *fathers, to Abraham, Isaac, and Jacob*	*the land that* I *swore to give to* their *fathers, to Abraham, Isaac, and Jacob*

1 KINGS 8:23–53

At the dedication of the temple, Solomon prays that YHWH will hear foreigners when they come to pray there and that YHWH will also hear his people when they, as captives in a foreign land, direct their prayers toward the temple.

1 Kgs 8:43	Bar 2:16
hear in heaven *your dwelling place*	look down from *your* holy *dwelling place* and consider us
1 Kgs 8:43	Bar 2:15
so that all the peoples of *the earth may know* your name and fear you	*so that all the earth may know* that you are the Lord our God
1 Kgs 8:43	Bar 2:26
this *house … is called by your name*	the *house* that *is called by your name*
1 Kgs 8:45 (and 8:49)	Bar 2:14
hear in heaven their *prayer and* their *supplication*	*hear*, O Lord, our *prayer and* our *supplication*
1 Kgs 8:47	Bar 2:30
if *they turn their heart*	*they* will *turn their heart*
1 Kgs 8:47 (and 8:48)	Bar 2:33
if *they turn*	*they* will *turn*
1 Kgs 8:47	Bar 2:12 (cf. 1:17)
we have sinned	*we have sinned*
1 Kgs 8:48	Bar 2:34
their *land that* you *gave to their fathers*	the *land that* I swore to *give to their fathers*
1 Kgs 8:50	Bar 2:14
grant them compassion *in the sight of* those who carried them captive	*grant* us favor *in the sight of* those who carried us into exile
1 Kgs 8:51	Bar 2:11
your people … whom *you brought out of Egypt*	*you brought your people out of* the land of *Egypt*

1 Kgs 8:52 let your *eyes* [and *ears*] be *open* to the *supplication* of your servant…, giving *ear* to them	Bar 2:14, 16–17 Hear … our *supplication* … incline your *ear*, O Lord, and hear; *open* your *eyes*, O Lord, and see
1 Kgs 8:53 you *brought our fathers out of Egypt*	Bar 1:19–20 he *brought our fathers out* of the land *of Egypt*

Jeremiah

The many allusions to Jeremiah are principally derived from four main texts: (1) the pronouncement of punishment that concludes the temple sermon in Jer 7; (2) the vision of the good and bad figs in Jer 24; (3) the prophecy announcing that Yhwh has commissioned Nebuchadnezzar of Babylon to rule the nations in Jer 27; and (4) the prophecy of Jerusalem's restoration in 32:36–41. In addition, there are some minor but vivid allusions to 8:1 and 36:30.

Jer 7:10 and *passim* this *house that is called by* my *name*	Bar 2:26 the *house that is called by* your *name*
Jer 7:34 *I will make to cease from the cities of Judah and from the* streets *of Jerusalem the voice of mirth and the voice of gladness, the voice of the bridegroom and the voice of the bride, for the land shall become a waste.*	Bar 2:23 *I will make to cease from the cities of Judah and from the* region *about Jerusalem the voice of mirth and the voice of gladness, the voice of the bridegroom and the voice of the bride, for the whole land will be a desolation* without inhabitants.
Jer 24:6 *I will bring them back to this land*	Bar 2:34 *I will bring them back to the land*
Jer 24:7 *I will give them a heart* to *know that I am Yhwh*	Bar 2:31 they will *know that I am the Lord* their God, and *I will give them a heart*
Jer 24:7 *they will be my people, and I will be their God*	Bar 2:35 *to be their God, and they will be my people*
Jer 24:9 I will *make them* a horror *to all the kingdoms* of the earth, *to be a reproach*	Bar 2:4 he *made them* subject *to all the kingdoms* around us, *to be a reproach*

Jer 24:10 I will send *sword, famine, and pestilence* upon them	Bar 2:25 they perished by *famine and sword and pestilence*
Jer 24:10 *the land that I gave to them and their fathers*	Bar 2:34–35 *the land that* I swore to *give to their fathers … the land that I have given them*
Jer 27: 8 [LXX 34:8] *if* any nation or kingdom *will not serve* this Nebuchadnezzar *king of Babylon*	Bar 2:22 *if* you *will not … serve the king of Babylon*
Jer 27:11 [LXX 34:11] any nation that will bring its neck under the yoke of the king of Babylon and serve him, I *will leave on its* own *land*	Bar 2:21 you *will remain in the land* that I gave to your fathers
Jer 27:12 [LXX 34:12] *bend your neck and serve the king of Babylon*	Bar 2:21 *bend your neck and serve the king of Babylon*
Jer 32:38 [LXX 39:38] *they will be my people, and I will be their God*	Bar 2:35 *to be their God, and they shall be my people*
Jer 32:39 [LXX 39:39] *I will give them* one *heart*	Bar 2:31 *I will give them* a *heart*
Jer 32:40 [LXX 39:40] *I will make an everlasting covenant with them*	Bar 2:3 *I will make an everlasting covenant with them*
Jer 32:40 [LXX 39:40] I *will put the fear of* me *in* their *hearts*	Bar 3:7 you *have put the fear of* you *in* our *hearts*
Jer 8:1 *the bones of* the *kings* of Judah, the bones of its princes, the bones of the priests, the bones of the prophets, *and the bones of* the inhabitants of Jerusalem *shall be brought out of their tombs*	Bar 2:24 *the bones of* our *kings and the bones of* our fathers *will be brought out of their graves*

Jer 8:1 the bones of the *kings* of Judah, the bones of its *princes*, the bones of the *priests*, the bones of the *prophets*, and the bones of *the inhabitants of Jerusalem* shall be brought out of their tombs	Bar 2:15–16 to *the inhabitants of Jerusalem*, and to our *kings* and our *princes* and our *priests* and our *prophets*
Jer 36:30 [LXX 43:30] his dead body shall *be cast out to the heat by day and the frost by night*	Bar 2:25 they have *been cast out to the heat by day and the frost by night*

Allusions to this group of texts are particularly significant in view of the fundamental tension in the narrative described above. All these texts share the notion of exile as the divinely mandated consequence of Israel's sinful national history, a consequence understood in terms of the "calamities and curse" that have fallen on Israel as a result of its unfaithfulness to the covenant. However, these texts differ with respect to the scenario they project as a result of the people's penitence and Yahweh's forgiveness. On the one hand, one group of texts envisions that the people will enjoy greater well-being and an improvement of their status within an ongoing "exilic" Diaspora: Lev 26; Deut 4 and 28; and 1 Kgs 8. On the other hand, another group of texts envisions the prospect of restoration and return for all the faithful, thus in effect putting an end to "exilic" Diaspora: Deut 30 and Jer 24; 32:36–41. Baruch rejects this apparent either/or.

Thus the pattern of allusions serves to reinforce the tension that is central to the narrative. Even though the temple has been restored, the scattered Israelites are still, in effect, in "Babylonian exile." As long as this remains the case, it is God's will that they should serve their imperial rulers, for it was precisely their failure to recognize this that led to their exile in the first place (Bar 2:21–26). They should therefore pray to find favor in the sight of their captors (2:14). However, to recognize that this is God's will for the present does not mean that this situation will continue forever. If they repent, as God has promised to make it possible for them to do, there is hope of a more complete restoration in the future. In the meantime, it is their orientation toward the restored temple and their complementary participation in local rituals of penitence that embody this possibility.

Comparison with Complaint Psalms

Besides this group of texts, Baruch's penitential prayer is also related in a somewhat different way to another group of texts; it incorporates into its composition all the elements of a particular genre of texts, the complaint psalms.[15] Its diction

15. Most scholars writing on the subject of penitential prayer continue to use the term

clearly echoes the formulaic diction of this genre of psalms without necessarily alluding directly to or quoting verbatim from any particular psalm. The basic elements of the complaint include (1) invocation of God; (2) description of trouble; (3) petition for deliverance; (4) motivation for God to act, including reproach; (5) admission of guilt or protestation of innocence; (6) affirmation of trust; and (7) promise of praise, including vow to offer a thanksgiving sacrifice and so forth.[16] All these elements are evident in Bar 1:15aβ–3:8.

Invocation of God

The entire prayer for mercy (Bar 2:11–3:8) is directly addressed to God in the second person, as in "O Lord God of Israel" (2:11aα) and "O Lord Almighty, God of Israel" (3:1aα), in contrast with the admission of guilt (1:15aβ–2:10), which describes God in the third person.

Description of Trouble

Of course, the main trouble is "exile" (Bar 2:14, 30, 32; 3:7, 8). As exiles, they are "few in number" and "scattered among the nations" (2:13, 29; cf. 2:4), as well as subject to God's "anger and wrath" (2:20) and to "reproach and desolation" (2:4; cf. 3:8). The condition of exile is further described in stylized terms that complaint psalms conventionally use to describe the condition of supplicants. In 2:18 the exiles are: (1) "distressed" (λυπουμένη; see Ps 55:3 [54:2]);[17] (2) "bent over" (κύπτον; Ps 10:10 [9:31]); (3) "feeble" (ἀσθενοῦν; Pss 6:3 [6:2]; 31:11 [30:10]; 107:12 [106:12]); (4) with "failing eyes" (ὀφθαλμοὶ ἐκλείποντες; Pss 6:8 [6:7]; 31:10 [30:9]; 88:10 [87:9]); and (5) "hungry" (πεινῶσα; Ps 107:5 [106:5]).

Petition for Deliverance

There are three substantively specific petitions. The supplicants are in exile because they have incurred God's anger as a result of their ancestors' unfaithfulness. They therefore ask God (1) to "let [his] anger turn away" (Bar 2:13), (2) to "grant us favor in the sight of those who have carried us into exile" (2:14),

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lament instead of the term that has long been preferred by form critics who work on Psalms, i.e., *complaint* (see, e.g., Erhard S. Gerstenberger, "Psalms," *Old Testament Form Criticism* [ed. John H. Hayes; TUMSR 2; San Antonio, Tex.: Trinity University Press, 1974], 200–207]). One reason for this preference is to distinguish the prayers in question from the lament proper, i.e., the dirge.

16. Erhard S. Gerstenberger, *Psalms: Part 1, with an Introduction to Cultic Poetry* (FOTL 14; Grand Rapids: Eerdmans, 1988), 11–14. I have used somewhat different terms for some of these basic elements, but I generally follow Gerstenberger's analysis.

17. References in brackets are to the LXX versification.

and (3) to "not remember the iniquities of our fathers" (3:5). Complaints conventionally ask God to let his anger relent (e.g., Pss 6:2; 27:9; 38:2; cf. 60:3) and not to remember past sins (e.g., 25:7; 79:80). In addition, there are several general petitions for God to attend to the exiles' plight, which also echo the formulaic diction of complaints. They ask God (1) to "hear our prayer and our supplication" (Bar 2:14a; e.g., Pss 39:13; 54:4; 102:2; 143:1), (2) to "deliver us" Bar 2:14a; Pss 32:2 [30:1]; 59:2 [58:1]; 140:2 [139:1]; 143:9 [142:9]; 144:11 [143:11]), (3) to "look down" and "consider" (Bar 2:16a; see the common use of ἐπιβλέπειν in both senses in, e.g., Pss 25:16 [24:16]; 74:20 [73:20]; 80:15 [79:15]; 86:16 [85:16]; 142:5 [141:4]), (4) to "incline your ear" (Bar 2:16b; Pss 17:6 [16:6]; 31:3 [30:3]; 71:2 [70:2]; 86:1 [85:1]; 88:3 [87:3]; 102:3 [101:3]), and (5) to "see" (Bar 2:17a; Pss 59:4 [58:5]; 80:15 [79:15]).

Motivation for God to Act, Including Reproach

One of the main motivations for God to act is his worldwide reputation: "So that all the earth may know that you are the Lord our God" (Bar 2:15). In line with this, God's "name" is a prominent motif. He "made a name for himself" in the exodus (2:11), and both the Israelites and the temple in Jerusalem are "called by his name" (2:15, 26). God envisions his people's repentance by saying, through a prophetic intermediary, that "they will remember my name" (2:32), and the supplicants therefore describe their own repentance in terms of God having motivated them to "call upon your name" (3:7). God's willingness to act is described in terms of his "remembering" his own name (3:5). In the complaint psalms there is only one case of similar phraseology (Ps 59:14 [58:13]), but "for your name's sake" is a common motivation for petitions (e.g., 25:11 [24:11]; 31:4 [30:3]; 79:9 [78:9]; 109:21 [108:21]).

The other main motivation is the conventional reproach, often in the form of a sarcastic rhetorical question noting that the dead do not praise God (e.g., Pss 6:6; 30:10; 88:11–12; Isa 38:18). This implies that, if God waits too long to try to save his people, he may have no one left to praise him when he finally gets around to it. Here there is an overt contrast between the dead, who now cannot "ascribe glory or righteousness to the Lord" (Bar 2:17), and the afflicted exiles, who are ready for God to put them in a position to do so (2:18).

Admission of Guilt or Protestation of Innocence

The entire first section (Bar 1:15aα–2:10) is a baroque variation on the admission of guilt that is conventional in complaint psalms. It is repeatedly noted that the supplicants, including both the exiles and their ancestors, "have not heeded the voice of the Lord" (1:18, 19, 21; 2:10). There are several variations on this theme as well as several specific examples, all of which are summed up in the phrase "we sinned against the Lord our God in not heeding his voice" (2:5). In complaint

psalms, the admission of guilt is typically much more concise (e.g., Pss 38:4–5, 19; 41:5; 51:5–6; 106:6; cf. 32:5), but the point is basically the same.

Affirmation of Trust

This element of the complaint psalm describes the basis on which supplicants can hope that God will respond to their petition(s). This is typically the nature of the supplicant's relationship with God (e.g., Pss 31:7–9; 56:4–5; 71:5–7) or a past experience of deliverance (e.g., 22:5–6; 74:12–17). Here there is the general statement that "you have dealt with us … in all your kindness and in all your great compassion" (Bar 2:27). This is developed more specifically by quoting a prophecy that the Lord revealed through Moses, envisioning that the Lord would animate the repentance of the exiles so that he could forgive and restore them (2:28–35). This prophecy is a pastiche derived from Deut 28:58, 62 and 1 Kgs 8:47 (see above). From the perspective of Second Temple Jews who heard Baruch's prayer, the already-restored temple would be regarded as a partial fulfillment of this prophecy and thus as a warrant for its subsequent complete fulfillment.

Promise of Praise

In complaint psalms, supplicants often promise to offer praise and/or a sacrifice of thanksgiving in response to the expected action of God on their behalf (e.g., Pss 7:18; 22:23; 35:28; 56:13). Here the promise to praise the Lord—"we will praise you in our exile"—is connected with the process of repentance, in which the disposition of the exiles' heart is changed (Bar 3:6–7), and it also fulfills the prophecy that provides the basis for their affirmation of trust (2:32).

With respect to form, there is little difference between Bar 1:15aβ–3:8 and complaint psalms. All the basic elements of this psalm genre are represented in Baruch's prayer of penitence. The Baruch text is a prayer for forgiveness, but it is also a prayer of deliverance from "exile." The former does not predominate over the latter, but rather both are inextricably linked at every turn. This is similar to Ps 25, in which forgiveness goes hand in hand with deliverance from oppressive enemies, or Ps 79, in which the petitions "deliver us" and "forgive our sins" are directly conjoined (79:8–9). The main difference is the extent to which the penitential elements have been elaborated in a conceptually systematic fashion. Sin is substantively defined in terms of not obeying "the voice of the Lord" as it is revealed in the Law and the Prophets. This definition is worked out historically with regard to major periods in Israel's national history, first the exodus, then the tribal league and monarchy, then the northern and southern kingdoms, and now the ongoing condition of "exile" (despite the temple's restoration). As the historical dimension unfolds, sin's relation to the complementary concept of repentance is also explored, with respect to both the inward disposition of the heart and its manifestation in outward behavior. These thematic developments culminate in

a distinction between the ancestors and the present generation with respect to repentance and hence with respect to sin: they failed to repent, but the present generation repents and asks for forgiveness. Further, their ability to be different in this regard is predicated on the fulfillment of a prophetically promised gift of God's grace. As a scattered community that orients itself toward the temple in Jerusalem and practices this ritual of penitence locally, they can expect God to grant them kind treatment by their imperial rulers in the short run and full restoration in the long run.

Implications for Scholarly Discussion

If the foregoing analysis of Bar 1:15aα–3:8 is generally on target, and if this text is counted as a full-blown example among the texts that are representative of Second Temple penitential prayer, how would this affect the generalizations that have thus far been made? In this section I will attempt to draw out major implications for the ongoing discussion in terms of genre, setting, ideology, and historical development.

One issue is the extent to which penitential prayers are innovative in relation to complaint psalms and whether penitential prayer should be regarded as a new genre that evolved from the complaint psalm in the postexilic period. Before addressing these questions directly, it should be noted that the scholarly discussion has thus far been rather arbitrarily limited by focusing primarily on communal complaints. Because penitential prayers emphasize corporate rather than personal sinfulness, and because the setting of penitential prayers seems to be a mass gathering rather than just family and friends, penitential prayers have a greater affinity with communal complaints than with individual complaints. However, despite this major difference between communal and individual complaints with respect to setting, there is no essential difference in form.[18] Thus, when comparing penitential prayers and complaints with respect to typicality of form, there is no reason to limit the comparison to communal complaints. This is a potentially significant factor in view of the fact that there are so many more examples of the individual complaint, so that when they are included the data sample is considerably enlarged. In the case of Bar 1:15aα–3:8, key aspects of its structure—such as the reproachful characterization of the supplicants and their condition in 2:17–18 (cf. 3:1b)—stand out all the more when the scope of the comparison is widened to include individual complaints.

Viewed against the broader background of complaint psalms in general, Bar 1:15aα–3:8 does not differ all that much from complaints with respect to generic form. The structural elements are basically the same, and they combine in basically the same ways. The main difference is one of content. In complaints the

18. Gerstenberger, *Psalms*, 11–14.

plight of the supplicant is commonly connected with the supplicant's sinfulness, but this connection is seldom if ever explored in any systematic way. In the case of Bar 1:15aα–3:8, the complaint form becomes a vehicle for reflecting on the nature and dynamics of sin and repentance. It defines these concepts in relation to "the Law and the Prophets" and develops them as the etiology of the "exile" that has been manifest throughout clearly defined epochs of Israel's now-finished national history. This results in baroque elaborations of formal elements that are typically much more laconic in the complaint psalms themselves, but these elements do not change their basic rhetorical function. Baruch 1:15aα–3:8 is still basically a prayer that reproachfully asks God for deliverance.

The attempts to define penitential prayer vis-à-vis complaint have focused largely on differences of content rather than form, emphasizing the prominence given to confession of sin, the historical dimension of Israel's sinfulness, and so forth. This is obviously a big difference, but the question raised by the case of Bar 1:15aα–3:8 is whether such a difference constitutes a qualitative change in generic form. For similar reasons, Bautch is reluctant to say that some texts commonly identified as penitential prayers are generically different from complaints.[19] He notes that the prominence of the confessional element is not in itself a decisive shift, and he argues that there is a qualitative formal difference only when the confession of sin functions specifically as the motivation of the petition for deliverance—as is the case, for example, in Neh 9:6–37. He therefore concludes:

> Thus, in the second and first centuries B.C.E., the composers of penitential prayers enjoyed at least two options when following a petition with a motivating element; one could employ either the ancient custom of appealing to God's honor or the post-exilic innovation in which a confession of sin heightens the plea for God's help. Both options were available to a people that no longer composed communal laments but followed some of the formal patterns initially associated with the genre.[20]

Bautch himself notes, however, that both of these options are evident in Bar 1:15aα–3:8, where a confession of sin motivates the petition for mercy in 3:2, but the petition for deliverance in 2:13–14 is motivated by an appeal to God's honor in 2:15–18 and not by the confession of sin in 2:12.[21] If both forms of expression are present in the same text, one must ask whether this difference is really an either/or and whether even this apparent shift in the function of the confessional element really amounts to a transformation in genre.

Whether or not penitential prayer constitutes a new generic form, there is definitely a change in content corresponding to a change in ritual practice.

19. Bautch, *Developments in Genre*, 137–61.
20. Ibid., 145.
21. Ibid., 144–45

Complaints were prayers sung on behalf of the supplicant(s) in the context of a rite consisting of animal sacrifice and associated offerings. They were probably performed, in at least some cases, by choral ensembles with instrumental accompaniment.[22] Penitential prayers, however, seem to have been said by an officiant on behalf of a congregation assembled for a different kind of rite. Judging from the case of Baruch, that other rite entailed instruction concerning the Torah and prophetic exhortation concerning God's involvement in the current situation, as well as lamentation, proclamation of a fast, and nonpenitential (presumably intercessory) prayer. This rite may also have included lections from the Torah and the prophetic books, but if not, it at least alluded to the practice of reading such lections on other occasions in similarly nonsacrificial local assemblies. The shift from poetry to prose, which some scholars have emphasized,[23] can be plausibly understood in connection with the change from sung (and sometimes choral) performance to spoken (and presumably solo) rendition. The poetry/prose distinction would not be in itself a genre distinction—not unless it also entailed a fundamental change in the elemental rhetorical pattern.[24] Similarly, the change in content, which usually entailed a systematic reflection on the nature of sin and its historical manifestations, can be plausibly understood in connection with the change from a rite primarily featuring sacrifice to a rite primarily featuring instruction, exhortation, and prayer.

Even if penitential practices emerged partly or largely as a consequence of the postexilic centralization of sacrifice, the case of Baruch suggests that they were not understood as a replacement for sacrifice. At least from the perspective of this text, penitential prayer and "sin offerings" were complementary. On this view, rites of penitence celebrated in local assemblies related participants by proxy to the sacrifices for sin performed at the central sanctuary, and conversely rites of penitence celebrated at the central sanctuary in conjunction with sacrifices established solidarity between the temple congregation and local assemblies. To say that penitential prayer served the same atoning function as sacrifice for

22. Sigmund Mowinckel, *The Psalms in Israel's Worship* (trans. D. R. Ap-Thomas; 2 vols.; New York: Abingdon: 1962), 2:82–84.

23. E.g., Moshe Greenberg (*Biblical Prose Prayer as a Window to the Popular Religion of Ancient Israel* [The Taubman Lectures in Jewish Studies, Sixth Series; Berkeley and Los Angeles: University of California Press, 1983], 63–64 n. 1) argues that the prosaic quality of postexilic penitential prayers shows them to have a pedigree altogether different from that of the complaint.

24. Boda, *Praying the Tradition*, 21–22. Of course, some genres are inherently prosaic or poetic—a "prose sonnet" is obviously a contradiction in terms. In many cases, however, the difference is generically immaterial. Compare, e.g., the prophecy of punishment spoken by Amos against Amaziah (Amos 7:16–17), which is usually reckoned to be poetic, and the prophecy of punishment spoken by Jeremiah against Pashhur (Jer 20:4–6), which is usually reckoned to be prosaic.

sin is also questionable. The text does not envision relying on penitential rites instead of sacrificial rites. At least in this one case, penitential prayer and sacrifice seem to be related as both/and rather than either/or. Baruch's perspective on the particular relationship between penitential prayer and sacrifice for sin seems to be in agreement with Daniel Falk's assessment of the general relationship between prayer and sacrifice reflected in the texts of the Qumran community:

> [The] origins [of institutionalized prayer] seem to lie in the attraction of prayer to the Temple cult, rather than the need to provide a replacement for the sacrificial system. One can speculate further. Loss of the Temple would then seem to have given impetus to the development and broadening of such prayer and to its systematization. In the Temple, the prayers of the priests, the songs of the Temple singers, and the popular prayers of the people remained disparate, brought into proximity only by their somewhat loose connection with the Temple service. When the Yahad adopted and adapted these elements for communal use away from the Temple, and thus without sacrifice as a centre, they combined these for the first time in a comprehensive and coherent liturgy of their own. A similar process can be suggested for the synagogue. Finally, the importance of the Temple as a focus for public and corporate prayer coincides with the picture in Luke and Acts that the early Christians in Jerusalem prayed regularly at the Temple and maintained a distinctive presence there.[25]

Some scholars have supposed that the ritual context of penitential prayer was a covenant-renewal ceremony.[26] In this regard, it is useful to distinguish between a text's expression of the concept of covenant and a ritual setting that serves to renew this relationship. The two need not go hand in hand, just as a text can express the concept of marriage without necessarily having a wedding as its setting. On the one hand, Baruch presupposes at every turn that God and Israel are in a covenant relationship, and it assumes that repentance is intended and that mercy is requested precisely in the context of such a relationship. The text's review of Israel's past and its projection of Israel's future are both conceptualized in terms of covenant. On the other hand, however, there are no explicit references, either in Bar 1:15aα–3:8 or in the other components of the penitential rite, to any ceremonial actions or formulaic phrases that would serve to solemnize the reaffirmation of such a relationship: no covenant meal, proclamation of blessings and curses, "Amen" responses, and so forth. Although the

25. Falk, *Daily, Sabbath, and Festival Prayers*, 254–55. Contra Werline, *Penitential Prayer*, 3–4.

26. Most notably, Odil Hannes Steck (*Israel und das gewaltsame Geschick der Propheten: Untersuchungen zur Überlieferung des deuteronomistischen Geschichtsbildes im Alten Testament, Spätjudentum und Urchristentum* [WMANT 23; Neukirchen-Vluyn: Neukirchener, 1967]), who argued that this was the setting of penitential prayer in general (134–35) and of Bar 1:15aα–3:8 in particular (115–16, 128–33).

text of Baruch expresses the concept of covenant, it does not directly reflect the performative acts by which the covenant relationship is reestablished. Rather, as we have seen, the dominant symbols of its ritual context are "the Law and the Prophets." It is certainly conceivable that penitential prayer could be used in the context of a covenant-renewal ceremony, and there is direct evidence that confession of sins (although without a petition for mercy) was used in an annually repeated covenant-renewal ceremony at Qumran.[27] Judging from the example of Baruch, however, this is not necessarily where penitential prayer was primarily at home. This text envisions the periodic use of its prayer of penitence in rites that assume the covenant but have adherence to "the Law and the Prophets" as their main ritual purpose.

It has generally been assumed that penitential prayer took a new shape in the postexilic period to express its own distinctive ideology of sin. Scholars have used tradition-historical methods to investigate the antecedents of this ideology, and it now seems clear that Priestly as well as Deuteronomic traditions contributed to the concept of sin that typically informs penitential prayer.[28] While it may be possible to refine still further our analysis of the contributing traditions and their respective roles,[29] the example of Baruch raises a somewhat different question about the assumed distinctiveness of the ideology of sin in penitential prayer. Even as this ideology has been increasingly recognized as a "multivocal" or traditionally composite phenomenon,[30] the discussion has continued to presuppose that it is qualitatively different from or even antithetical to the ideology of sin expressed in complaints.[31] Underlying this ideological contrast lies Claus Westermann's historical supposition that the emergence of penitential prayer signaled the demise of the complaint. Following Westermann, it is commonly said that the emergence of the penitential prayer form "silenced the lament."[32] As we

27. Falk, *Daily, Sabbath, and Festival Prayers*, 219–26.

28. Boda, *Praying the Tradition*. Cf. Volker Pröbstl, *Nehemiah 9, Psalm 106 und Psalm 136 und die Rezeption des Pentateuchs* (Göttingen: Cuviller, 1997).

29. Bautch (*Developments in Genre*, 80–86), for example, points out the ostensible influence of Levitical and prophetic preaching; see also Mark J. Boda, "Confession as Theological Expression: Ideological Origins of Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), 21–50.

30. I am using "multivocality" in the loaded sense that it is used by Ehud Ben Zvi in *Signs of Jonah: Reading and Rereading in Ancient Yehud* (JSOTSup 367; London: Sheffield Academic Press, 2003).

31. For an extreme form of this position, see Dalit Rom-Shiloni, "Socio-ideological Setting or Settings for Penitential Prayers," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:51–68.

32. Claus Westermann, "Struktur und Geschichte der Klage im Alten Testament," *ZAW* 66 (1954): 44–80, trans. as "The Structure and History of Lament in the Old Testament," in idem,

have seen, in the case of Baruch it is difficult to draw any stark contrast between its form and the typical form of a complaint psalm. This suggests a reconsideration of whether the two forms actually represent qualitatively different ideologies of sin and whether the emergence of penitential prayer in a new form actually signaled the demise of the complaint in postexilic times.

First, let us consider these issues in terms of religious practices. Did the emergence of rituals of penitence, like the one described in Baruch, supplant complaint rituals in the postexilic period? Complaint rituals, whether individual or communal, were occasionally celebrated at the sanctuary when individuals or communities found themselves in trouble. Centralization of the sacrificial cult meant that these rituals, which previously could have been celebrated at any local sanctuary, could now be celebrated only in Jerusalem. This probably made both kinds of complaint ritual less common, but there is no reason to believe that it made either kind cease. From the viewpoint of Baruch, periodically celebrated rituals of penitence, whether in local assemblies or at the central sanctuary, complemented rather than replaced sacrifice.

Since rituals of penitence were communal, there might have been some functional overlap between those celebrated periodically at the temple and the communal complaint rituals occasionally celebrated there. This could conceivably have led to the demise of communal complaint rituals, but we have no direct evidence on this score, and indirect evidence suggests that communal complaints continued. For example, 1 and 2 Chronicles describe preexilic cultic customs so as to provide models for Second Temple rites, and 2 Chr 20 provides a fairly detailed description of a communal complaint ritual in the context of a battle during the reign of Jehoshaphat. This models for the Second Temple community the defensive function that such rituals would take on under the radically changed situation in which Yehud existed without king or army.[33] Also, the book

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Praise and Lament in the Psalms (trans. Keith R. Crim and Richard N. Soulen; Atlanta: John Knox, 1981), 165–213. Westermann's hypothesis that the complaint declined in the postexilic period was largely informed by the supposition that the historical development of genres followed a life-cycle pattern, from primitive to classical to decadent phases. For a critique of this supposition, see Michael H. Floyd, " 'Write the Revelation!' (Hab 2:2): Re-imagining the Cultural History of Prophecy," in *Writings and Speech in Israelite and Ancient Near Eastern Prophecy* (ed. Ehud Ben Zvi and Michael H. Floyd; SBLSymS 10; Atlanta: Society of Biblical Literature, 2000), 106–22.

33. Philip R. Davies, "Defending the Boundaries of Israel in the Second Temple Period: 2 Chronicles 20 and the 'Salvation Army,' " in *Priests, Prophets and Scribes: Essays on the Formation and Heritage of Second Temple Judaism in Honour of Joseph Blenkinsopp* (ed. Eugene Ulrich, John W. Wright, Robert P. Carroll, and Philip R. Davies; JSOTSup 139; Sheffield: Sheffield Academic Press, 1992), 44–45.

of Joel is generally thought to be postexilic, and Joel 1:2–20 reflects a communal complaint ritual.[34]

As for individual complaints, there would be no similar functional overlap and thus no basis on which to suppose that they might have been replaced by rituals of penitence. Again, indirect evidence suggests that the practice of individual complaints continued in the Second Temple period. The Psalter was compiled during this time, and individual complaints are by far the most numerous kind of psalm. Even if this compilation also served to promote derivative forms of psalmody outside the temple cult, it nevertheless primarily reflects the normal usage of the Jerusalem sanctuary. The high number of individual complaints in the Psalter suggests that individual complaint rituals may have been quite common in the Second Temple period.

Thus, what we find in Baruch, where the distinctive features of penitential prayer coexist readily with the conventions of complaint, implies that rituals of penitence and complaint rituals were complementarily related in the liturgical repertoire of at least some sector of Second Temple Judaism.[35] Given the indirect evidence that we have, there is no reason to deny this. If there was such complementarity on the level of religious practice, then on the level of ideology prayers of penitence and complaints can hardly have been perceived to differ radically in their conception of sin. This, however, runs directly counter to what has generally been assumed in the scholarly discussion.

Complaints and prayers of penitence are usually contrasted with respect to theodicy. Complaints supposedly allow supplicants to grapple with this issue in their reproaches, by envisioning the possibility of a protestation of innocence, thus implicating God in the description of trouble. Prayers of penitence supposedly foreclose this possibility by making admission of guilt and unquestioned affirmation of God's righteousness the norm.[36] This contrast might be accurate if we were dealing with concepts of sin in the abstract. When we think in terms

34. Hans Walter Wolff, *Joel and Amos* (Hermeneia; Philadelphia: Fortress, 1977), 4–6, 17–24.

35. Mark J. Boda, assuming the displacement of complaint rituals by rituals of penitence hypothesized by Westermann, has attempted to map out this process by reconstructing transitional liturgies behind Lam 3 ("The Priceless Gain of Penitence: From Communal Lament to Penitential Prayer in the 'Exilic' Liturgy of Israel," *HBT* 25 [2003]: 51–75), in which complaint still looms large, and Jer 14–15 ("From Complaint to Contrition: Peering through the Liturgical Window of Jer 14,1–15,4," *ZAW* 113 [2001]: 186–97), where penitence seems more the dominant note. Granting the plausibility of these reconstructions, it is not necessary to see the differences between these two liturgies as transitional. Why not think of them as different responses to situations that were problematic in different ways?

36. E.g., Samuel E. Balentine, *Prayer in the Hebrew Bible: The Drama of Divine-Human Dialogue* (OBT; Minneapolis: Fortress, 1993), 116–17; following Westermann, "Structure and History of Lament," 206.

of liturgical practices, however, it is evident that these somewhat different concepts of sin are related to different circumstances and are not incompatible when approached in this way.

Complaints function in relation to various troubles that are occasionally experienced in the lives of individuals and communities. They allow for either protestation of innocence or admission of guilt because these troubles are sometimes the consequence of some sin committed by the supplicants and sometimes are not. Prayers of penitence, however, function in relation to the collective experience of a particular turning point in Israel's history. Israel's final defeat, deportation, and dispersion came to be viewed as God's just reaction to a whole history of wrongdoing. From this perception of their past, those who continued to worship the God of Israel drew the conclusion that they had an ongoing collective tendency to sin, which must continually be countered through a regular corporate practice of penitence.

These two sets of circumstances might well intersect in the life of a particular person or community. The sinful tendency that the ancestors showed consistently over time, still shown by the present generation, might also lead a particular person to take advantage of a neighbor and to suffer the negative consequences. In this case, it would be appropriate to admit guilt on both counts, and, if the supplicant resorted to a complaint ritual as well as a ritual of penitence, both would appropriately have similar confessional elements. However, the same generalization would not necessarily apply to the neighbor who was taken advantage of. This neighbor might share the community's collective guilt for its past behavior but would nevertheless not have done anything to deserve the harm inflicted by the other person. In this case it would be appropriate to admit guilt on one count but not the other. If the neighbor resorted to a ritual of penitence as well as a complaint ritual, the former might appropriately have a confessional element, but the latter would more appropriately have a protestation of innocence. The neighbor might acknowledge that the exile was God's just judgment on his still-sinful nation, while at the same time rail against God for allowing him to be mistreated by someone else. In such circumstances, there is no inconsistency between the concept of sin expressed in a complaint, which reckons with the reality of theodicy, and the concept of sin expressed in a prayer of penitence, which presumes that the loss of the land shows God's just judgment of Israel's continual sinfulness.

The example of Baruch suggests that scholarly discussion may have been too abstract, thinking only in terms of general propositions about sin rather than concretely in terms of different penitential practices with their own rationales. Of course, Baruch does not have a protestation of innocence—quite the contrary. But by juxtaposing so closely the elaborate confessional elements that typify the prayer of penitence and the reproach that typifies the complaint, it leads us to see that even the complaint's protestation of innocence and the penitential prayer's

confession of guilt are not necessarily antithetical. One has to ask: Guilty or innocent of what, and in relation to whom?[37]

Finally, in addition to claiming that the prayer of penitence silenced complaint in the Second Temple period, Westermann has also argued that this led to the eclipse of complaint by penitence in the New Testament and beyond.[38] Walter Brueggemann has extensively explored the practical implications of this development in the life of the church.[39] The issues raised by his work go beyond the scope of this essay, which is limited to the Second Temple period, but given the considerable influence that both scholars have had on the recent discussion of penitential prayer, a brief comment is in order. The example of Baruch has led us to question whether the prayer of penitence actually displaced the complaint in the Second Temple period and to suppose instead that they might have had a complementary relationship. For similar reasons, one might also question whether there was actually a subsequent tendency of penitence to displace complaint. Of course, the destruction of the temple brought an end to complaint rituals, but before then the psalms began to be recited in local assemblies as well as the central sanctuary. When the temple was destroyed, complaint rituals ceased, but the recitation of the Psalter—including its many complaints—was continued in church and synagogue. Complaint and penitence would have continued in a complementary relationship as long as patterns of piety held together both confession and the recitation of the Psalter. I would suggest that this complementary relationship was not severed until liberal Protestantism developed patterns of piety no longer centered on the recitation of the Psalter. The complaint has indeed been silenced in the contemporary church, and Brueggemann's observations regarding the negative effects of this are very well taken, but this malaise may well have a modern rather than an ancient etiology.

The conclusions reached here may well be overstated because they are based so one-sidedly on Bar 1:15aα–3:8. The overall point of this exercise is to raise a heuristic question: Might the terms in which postexilic penitential prayer has been analyzed need revision when the data base is extended to include a previously neglected but prominent example of penitential prayer? If the results help

37. In this regard the texts themselves are often more capable of nuances than their interpreters. For example, in Ps 38 the supplicant readily admits that his physical infirmities are the result of his sins: "There is no health in my bones because of my sin.… I confess my iniquity" (38:4, 19). But at the same time he protests his innocence vis-à-vis his attackers: "Many are they who hate me wrongfully.… [they] are my adversaries because I follow after good" (38:20–21). He asks God to heal his infirmities because he has confessed his guilt, and at the same time he asks God to defend him from his attackers because he is innocent of any offense against them.

38. Westermann, "Structure and History of Lament," 206–13.

39. Walter Brueggemann, "The Costly Loss of Lament," *JSOT* 36 (1986): 57–71 = *The Psalms and the Life of Faith* (ed. Patrick D. Miller; Minneapolis: Fortress, 1995), 98–111, plus other essays in the latter volume.

us to rethink some of the issues, they will have served their purpose, even if they do not finally hold. And there are still other apocryphal and pseudepigraphical texts—such as the Prayer of Manasseh—that, if given close attention, might similarly fertilize the discussion.

The Use of Female Imagery and Lamentation in the Book of Judith: Penitential Prayer or Petition for Obligatory Action?

LeAnn Snow Flesher

Introduction

Westermann's claim that the genre of biblical lament evolved into petitionary prayers postexile has been a generally accepted conclusion for more than fifty years.[1] This essay is borne out of a fundamental disagreement with Westermann's conclusion on the silencing of the prayer of lament in the Hebrew Bible. However, engagement with the numerous papers presented throughout the three-year Consultation on Penitential Prayer at the national SBL meetings (2003–2005) has tempered this disagreement. After careful study of the materials presented, it has become clear that the postexilic writings do in fact reveal a significant theological shift. Yet, Westermann's claim has not been completely substantiated. The apocryphal book of Judith provides a wonderful example of a "traditional" use of lament, albeit with some shifts in theological undertones. Thus, the text

1. Claus Westermann [*Praise and Lament in the Psalms* (trans. Keith R. Crim and Richard N. Soulen; Atlanta: John Knox, 1981], 213) has stated that the lament, whose central nerve in the early period had been the complaint against God, receded into the background until it was finally reduced to a simple petition, while the complaint against God fell altogether silent. In addition, he noted that the prevailing prayer in postexilic Israel arose out of praise (thanksgiving) and petition, and the lament remained silent—even in the New Testament. While Westermann did not speak of the rise of penitential prayer in place of lament (only petition), his conclusions, as stated above, have become the starting point for many who work in the area of penitential prayer. According to Samuel E. Balentine, it was Westermann's "survey of the history of lament that provided the base line for the assessment of penitential prayers for approximately the next fifty years" ("'I Was Ready to Be Sought Out by Those Who Did Not Ask,'" in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* [ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006], 4).

contradicts claim(s) that lament had ceased in the Second Temple period to be replaced by penitential prayers.[2]

The presentations given throughout the three-year consultation have fostered a rich conversation between scholars who have been primarily focused on penitential prayer and laments. One of the benefits of this cross-pollenization has been the categorization of theological tendencies between the two genres. Some of the most commonly agreed upon theological observations include:

Penitential Prayers	**Laments**
God is always righteous.	God is frequently the culpable party.
Humans are the covenant breakers.	Humans are frequently presented as innocent.
Enemies are a tool of God's punishment.	Enemies can be the guilty party.
God's wrath brings punishment.	God's wrath brings punishment.
Punishment is shameful.	Punishment is shameful.
The need is for God's wrath to shift to pity.	The need is for God's wrath to shift to pity.
Confession averts God's wrath.	Complaint plus petition averts God's wrath.[3]

The working out of details beyond these general theologies is beyond the scope of this essay except as it applies to the lament of Jdt 9, to which we now turn.

The Apocryphal Book of Judith

The apocryphal book of Judith has enjoyed much popularity over the years, as is evidenced by its use (and abuse) in countless artistic endeavors. The book has been interpreted through paintings, poems, dramas, operas, playing cards, midrashim, and scholarly publications. As one of the most loved and enjoyed biblical books, it has achieved a certain renowned status among church/synagogue attendees and nonattendees alike.

Simultaneously, Judith is a book that has suffered much historical and source-critical analysis. The emphasis on the historical inaccuracies in Judith has led to attempts to make historical sense of the book, at the expense of genre and literary analysis, as well as studies in intertextuality and theological perspective(s).[3] Schol-

2. Penitential prayer is a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance (Rodney A. Werline, "Defining Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:xv).

3. For example, Carey Moore has noted that the book purports to be an historical account and proceeds to provide much evidence in support and to the contrary of this thesis as well as theories that account for the many historical contradictions (*Judith* [AB 40B; Garden City, N.Y.: Doubleday, 1985], 38–59). George T. Montague has suggested that Judith is historical in two senses: the story is formed from a historical nucleus; the story gives witness to the manner

ars have asked why the author of this book set the story in the "supposed" time of the Assyrian rule; named the primary ruler as King Nebuchadnezzar (clearly a historical inaccuracy); named the city under attack Bethulia, which probably comes from בתולה ("virgin") and is an unknown historical location; and focused on a heroine named Judith, which means Jewess, who supposedly saved the city of Jerusalem and the temple from being desecrated if not destroyed.

The book represents a clever weaving together of well-known Jewish traditions, personalities, and pieties as a means of presenting a particular theological interpretation for a faithful Jewish response to Hellenistic political and religious oppositions and military oppressions. This is why an overemphasis on historical analysis is not helpful. The historical names, settings, and events represent merely one level of the story. Still needing to be probed are questions related to Jewish piety, theological interpretation of crises, and the use of imagery, especially female imagery, by biblical writers.

The Storyline

Those who adhere to the pseudonym theory[4] believe that the identities of the real characters of the tale have been veiled by the use of familiar historical personalities. Thus the questions arise: Who are the intended characters, and what story is being told? It is feasible, based on the manner in which Holofernes dies (13:1–10), that the story depicts the events around Judas Maccabeus's final battle with and defeat of the Seleucid general Nicanor in 161 B.C.E.[5] If this is true, then the cast of key locales and characters relates accordingly:

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in which Jews from the postexilic period understood the challenge presented to them by persecuting tyrants (*The Books of Esther and Judith* [Pamphlet Bible Series 21; New York: Paulist, 1973], 8). In contrast, Jan Willem van Henten has noted that Judith is fiction like the stories of Tobit and Susanna ("Judith as Alternative Leader: A Rereading of Judith 7–13," in *A Feminist Companion to Esther, Judith and Susanna* [ed. Athalya Brenner; FCB 7; Sheffield: Sheffield Academic Press, 1995], 225). Toni Craven has stated, "There is no doubt that Judith was meant as didactic fiction, not factual history" ("Judith," in *The Harper Collins Study Bible* [ed. Wayne A. Meeks; New York: HarperCollins, 1993], 1460). See also her seminal work, *Artistry and Faith in the Book of Judith* (SBLDS 70; Chico, Calif.: Scholars Press, 1983). I agree with Craven's conclusion(s) and, consequently, seek to read the text as didactic fiction. As such, the story lends itself to more than one historical context and could easily have been reinterpreted and repeatedly pressed into service as a message of hope for more than one tyrannical attack of the Jews by postexilic Hellenistic leaders.

4. The pseudonym theory maintains that for one reason or another all the characters in Judith are deliberately disguised historical persons.

5. The best-known elaborations of the pseudonym theory have come from Gustav Volkmar (*Handbuch der Einletiung in die Apokryphen* [Tübingen: Fues, 1863]), Charles J. Ball (*The Ecclesiastical or Deutero-canonical Books of the Old Testament Commonly Called the Apocrypha* [London: Eyre & Spottiswoode, 1892]), and Moses Gaster (*Studies and Texts in Folklore, Magic,*

Assyria	Seleucid Empire
Nebuchadnezzar	Antiochus IV Epiphanes
Holofernes	Nicanor (general under Antiochus IV and Demetrius I)
Uzziah and the elders	Alcimus and the non-Hasmonean elders
Judith	Judas Maccabeus

As the story goes, Nebuchadnezzar, the king of Assyria, called all the people who lived within his control to come out and support him in his military campaigns. However, many who received the summons did not fear Nebuchadnezzar, so they did not go out with him to battle. Once Nebuchadnezzar had won the initial war, he began a second campaign against those who refused to go out with him. When he reached the locale of each people group, they immediately surrendered to Nebuchadnezzar and his armies and became enslaved to him. In response, Nebuchadnezzar cut down all their sacred shrines, destroyed all the gods of their land, plundered all their temples, and commanded that they worship only him.

The Jewish population, however, did not give in so easily. Instead, when Holofernes, Nebuchadnezzar's general, reached the soil of Palestine, the Jews prepared to resist. They were greatly concerned about the welfare of both Jerusalem and the temple of the Lord, because of their recent return from exile (4:3). When Holofernes heard that the Jews had prepared for war, he became very angry and solicited information from Achior, leader of the Ammonites, who summarized his lengthy depiction of Israel's history of deliverance with the following Deuteronomic statement:

Medieval Romance, Hebrew Apocrypha and Samaritan Archaeology [London: Maggs, 1925]). Volkmar places the story in 117 C.E., after the destruction of the Second Temple and the return of the Jews under the rule of Trajan. Ball sets the story in the context of the Hasmonean period during the reign of Antiochus IV Epiphanes. Gaster establishes the date as 63 C.E., at the rise of the Jewish revolt before the destruction of the temple in 70 C.E. Others have adhered to an evolving-text theory, made famous by Franz Steinmetzer. This theory explains the conflicting historical data in Judith as the result of details of fact having been added over the centuries. Along this line, some have suggested that the historical setting for the book (or at least the date for its final form) is later than the Maccabean period, after Samaria had been conquered and integrated into the Judean state (135–104 B.C.E.). Others explain the presence of Persian elements combined with Greek and Hasmonean elements as the result of the book's setting being the Persian period but the book's final form being the Hasmonean period. For a more complete conversation on these various interpretations, see Moore, *Judith*, 52–56. The book is frequently dated ca. 135–105 B.C.E., during the reign of John Hyrcanus I (134–104 B.C.E.). Antiochus VII, who died in 129 B.C.E., invaded Jerusalem, tore down its walls, and forced the Judeans to make a large payment to him; thus, the impetus for the writing of the book of Judith (Josephus, *Ant*. 13.245–248).

> As long as they (the Jews) did not sin against God, they prospered, for the God who hates iniquity is with them. But when they departed from the way he had prescribed for them, they were utterly defeated in many battles and were led away captive to a foreign land. (Jdt 5:17–18)

The Canaanite peoples suggested to Holofernes that, before any attack, he should cut off the water supply for the villages in the mountains and thus destroy the Jews without a single loss to his own army.

In the next scene we find a reference that the people lamented, although the content of their prayer does not appear in the text: "Then a great and general lamentation arose throughout the assembly, and they cried out to the Lord God with a loud voice" (7:29). This lamentation springs from a scene that contains other complaints, both to God and the leaders. After the water supply had diminished in Bethulia, the "Israelites then cried out to the Lord their God, for their courage failed, because all their enemies had surrounded them, and there was no way of escape" (7:19). Then the people "surrounded Uzziah, their leader, and the rulers of the town and cried out with a loud voice [to them].… 'You have done us a great injury in not making peace with the Assyrians. For now … God has sold us into their hands..… now … surrender the whole town to Holofernes … for it would be better for us to be captured by them. We call to witness against you … our God, … who punishes us for our sins and the sins of our ancestors' " (7:23–29).[6] In response, Uzziah and the elders told the people to take courage and to hold out for five days more; then Uzziah said, "By that time the Lord God will turn his mercy to us again, for he will not forsake us utterly. But if not, then we will surrender to Holofernes as you have demanded" (7:29–31).

When Judith heard the report of the people's distress and how Uzziah and the elders had promised under oath to surrender the town after five days, she summoned them and chastised them for putting God to the test. In addition, she proclaimed the innocence of her people, in contrast to the guilt of their ancestors, and emphasized the responsibility of the leaders to resist the enemy and to protect the temple. Judith concluded her speech by turning the tables and establishing that God was testing them as God had tested Abraham, Isaac, and Jacob (8:9–26).[7] This is the setup for chapter 9 in which we find the second lament, the

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6. Although the biblical text does not detail the community's lament to God, it does state in 7:19 and 29 that the people cried out to the Lord. In 7:23–28 the people lament to Uzziah and the elders. While these references do not contain a prayer of lament fashioned after the form found in the canonical psalms of lament, they contain evidence of lamentation given to God as well as to Uzziah and the elders. Consequently, the content and form of chapter 7 will not be studied in this essay, which is intended to compare Judith's lament in chapter 9 with the laments in the canonical psalms. Analysis of the chapter 7 laments will be saved for another occasion.

7. Amy-Jill Levine has suggested that Judith's role as a woman who speaks and acts in the world of Israelite patriarchy in and of itself creates a crisis. As such, Judith "endangers hierar-

focus of this study, spoken by Judith. Before considering the lament in detail, an investigation of past research on biblical laments is in order.

Laments in the Canonical Psalms

In his introduction to the Psalms, Hermann Gunkel, the father of form criticism, described what he termed "genres" of the psalms.[8] These generic categories included hymns, communal complaint songs, individual complaint songs, individual thanksgiving psalms, royal psalms, and smaller genres. Gunkel's seminal work has been built upon by generations of scholars, including Mowinckel, Westermann, Brueggemann, and others.[9] Today nearly every introduction to the Psalms or Old Testament includes a description of these genres as well as an outline of typical elements to be found in each. For the individual lament there is much scholarly agreement upon a typical internal structure as outlined below:

1. Address to God: often coupled with a cry for a hearing, such as "Hear me, O God," and frequently followed by statements of praise
2. Praise: often in the form of a review of God's past saving acts
3. The lament itself: the psalmist's bringing of his or her complaint to God, which can be a complaint against the enemies or about current circumstances, a complaint that God has not acted, or a combination of two or all three
4. Confession of trust in God, often coupled with a petition for relief
5 Petition: every lament builds to a petition, whether implicit or explicit.
6. Motive clause: a statement introduced by "for" or "because" that provides reason(s) for God to act upon the petition, such

chical oppositions of gender, race and class, muddles conventional gender characteristics and dismantles their claims to universality and so threatens the status quo" ("Sacrifice and Salvation: Otherness and Domestication in the Book of Judith," in Brenner, *Feminist Companion*, 209. See also Levine's more recent and updated work, "Judith," in *The Oxford Bible Commentary* (ed. John Barton and John Muddiman; Oxford: Oxford University Press, 2001), 632–41. It is clear that Judith's role is subversive and intended to shift the status quo of the populace and their leaders, which in this case amounts to compromising with the Hellenizers.

8. Hermann Gunkel and Joachim Begrich, *Einleitung in die Psalmen: Die Gattungen der religösen Lyrik Israels* (Göttingen: Vandenhoeck & Ruprecht, 1975).

9. Sigmund Mowinckel, *The Psalms in Israel's Worship* (trans. D. R. Ap-Thomas; 2 vols.; Oxford: Blackwell, 1962); Claus Westermann, *Lob und Klage in den Psalmen* (Göttingen: Vandenhoeck & Ruprecht, 1977).

as, "Save me, O God, for the waters have come up to my neck" (Ps 69:1)
7. Exclamation of certainty that the psalmist's prayer has been or will be heard by God
8. Vow to praise: the psalmist's promise to declare God's praises to the community or to continue to praise God forever

Of course, one can find variations on this ordering as well as the omission of one or more element in any particular psalm. However, in the big picture these elements and this structure constitute a common framework. As is typical in poetry, structures and elements may be shifted, slightly altered, or omitted in order to create an emphasis or heighten a particular point. For example, Ps 74 begins with an accusatory complaint against God (i.e., God-lament)—"O God, why do you cast us off forever?"—when one would expect an address coupled with a cry for a hearing.[10] By beginning the psalm with God-lament, the psalmist has created a heightened sense of urgency. Rather than take time to appeal to God for a hearing, the psalmist jumps right in with complaint. Such shifts are not uncommon and ought to be recognized as part of the message/meaning of the psalm.

Judith's Lament

Judith's prayer of lament found in chapter 9 fits the above outline: (1) cry for a hearing and review of God's past saving acts (9:2–4); (2) motive clause (9:5–6); (3) complaint against the Assyrians (9:7); (4) petition for deliverance by the hand of a woman (9:8–10); (5) another motive clause that emphasizes God's concern for the weak and oppressed (9:11–12); and (6) petition that people will know God protects Israel (9:13–14).

The six sections of Judith's lament are theologically driven, rhetorical categories. While the complaint of the people of Bethulia to the leaders (7:23–28) seems to assume that God has turned against them due to their sin, Judith believes nothing of the sort. We have already seen in chapter 8 that Judith fundamentally disagrees with the people's theological interpretation of their present situation, and her lament to God confirms her earlier statements. However, Judith's clear-headed speech to Uzziah and the elders has been transformed into an enigmatic prayer filled with rhetorically charged metaphors, declarations, accusations, schemes, and appeals. To make sense of these components is to make sense of the book.

10. Craig C. Broyles, *The Conflict of Faith and Experience in the Psalms: A Form-Critical and Theological Study* (JSOTSup 52; Sheffield: JSOT Press, 1989), 37–40.

Judith's prayer must be studied for its attempts to persuade God to act on her behalf and on behalf of the Jews. To do this we must note the devices used and their ordering, so as to determine the rhetorical flow of the prayer. How is God to be persuaded (my language), or, in Judith's words, what will "please" God so that he will "hear" and act (see 8:17)?

Cry for a Hearing and Review of God's Past Saving Deeds (9:2–4)

Judith's opening cry for a hearing (9:2–4) is unique in that the heroine calls on the God of the ancestor Simeon. This invocation brings to remembrance the rape of Dinah and the subsequent vindication wrought by her brothers, Simeon and Levi (Gen 34), incorporating a review of God's past saving acts into the cry for a hearing. The story itself is somewhat controversial in that Jacob, the father of Simeon, Levi, and Dinah, is not pleased with the brother's act of vindication and chastises them for their violence against the household of Hamor. Jacob's major concern is that they have brought trouble upon him because their violence has made him abhorrent to the Canaanites. Clearly, he fears retaliation from the Canaanite people.

But Judith's interpretation of the story is quite different: God provided the sword for Simeon (presumably an allusion to the gold-edged sword given to Judas) to use to take revenge on the strangers who "tore off a virgin's clothing, to defile her, and expose her thighs to put her to shame, and pollute her womb to disgrace her."[11] Her accusation is that God said it should not be done, yet they (i.e., the strangers) did it (9:2). Her theological interpretation of this event is that God gave them all up (i.e., the family of Hamor) to be killed—their rulers, their princes, their wives, their daughters—and all the booty was divided among the Israelites, among the beloved children of God, who burned with zeal for God and abhorred the pollution of their blood and who called on God for help. In other

11. Judith Newman has suggested that the prayer in Jdt 9 is a typological appropriation of scripture that reflects influence from three sections of the Bible: Gen 34; Isa 36–39; and Exod 15. In her analysis of Judith's use of Gen 34, Newman notes that in a few short verses the author of Judith has provided a second-century interpretation of the Gen 34 story that shifts the emphasis from Shechem acting as an individual perpetrator (as described in Gen 34) to Dinah being violated by the community of foreigners. Similarly, in Gen 34:25 each of the brothers takes up his sword to attack the city, but Judith suggests that God provided a sword for Simeon. Judith claims that God stated "it should not be done," but the Gen 34 story comes before the giving of the Torah at Sinai. When did God prohibit this behavior? Jdt 9:4 states that the sons of Jacob burned with zeal for God (i.e., zeal for the law), detested the pollution of their blood, and called on God for help, but nowhere in Gen 34 is the term *zeal* used. Finally, neither Dinah nor the Shechemites are mentioned by name in Judith; rather, they are referred to as "the virgin" and "the strangers." See Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999), 125.

words, Israel was the virgin that had been defiled, and she was vindicated by God through Simeon's action (see 9:3–4).[12] This entire section is brought to a close with Judith's own cry for a hearing; "O God, my God, hear me also, a widow" (9:4).

The book is bursting with female imagery, something not uncommon in Hebrew scriptures. Frymer-Kensky has provided a helpful summary on the multifaceted use of female imagery by the writers of the Hebrew Bible to speak about Jerusalem and Zion, who can be mother, beloved, daughter, virgin, bride, wife, and widow.[13] These images get taken up by the writers of the Hebrew Bible in various ways to point to the need for the people to reform and/or God to take action.

In the book of Judith, the military mountain outpost of the Jews is portrayed as a virgin (i.e., Bethulia, taken from בתולה "virgin"). In addition, our heroine, the one who is about to risk her life to save Bethulia and ultimately to save Jerusalem and her temple, is a widow. Whereas in ancient Near Eastern literature the capital city was often referred to through the use of feminine pronouns and metaphors and was typically spoken of in positive terms, in the literature of ancient Israel the feminine images were used either to vilify or to arouse sympathy for the city. Images of harlotry, often found in the prophets Isaiah, Jeremiah, Ezekiel, and Hosea,[14] were intended to shame the religious leaders and to motivate them to bring reform. In contrast, images of the virgin daughter, such as those found in the book of Lamentations,[15] were intended to create sympathy for the city and to motivate God to bring deliverance.[16]

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12. Newman notes specifically that the use of Gen 34 is an attempt to justify Judith's act of violence against Holofernes by portraying it as an act analogous to Simeon's "divinely sanctioned" vengeance against the Shechemites. Newman goes on to suggest that the sexual violence against Dinah is viewed by Judith as the equivalent to the violation of Jerusalem and its temple (*Praying by the Book*, 124).

13. Tikva Frymer-Kensky, *In the Wake of the Goddess: Women, Culture, and the Biblical Transformation of Pagan Myth* (New York: Free Press, 1992), 168. Much has been said concerning Judith's name, which means "Jewess," her role as a widow, and the role of her city as virgin. However, Frymer-Kensky helps us think about the use of female imagery in the larger picture, which includes writings from the ancient Near East. For a nice listing of references on the connection of Israel/the Jewish nation and Judith, the name's allegorical potential, and the significance of the name for a female warrior, see Levine, "Sacrifice and Salvation," 210.

14. Examples of prophetic images of harlotry can be found in Isa 1:21; 57:3; Jer 2:20; 3:1, 3, 6, 8, 9; Ezek 16:15, 16, 17, 26, 28, 30, 31, 33, 34, 35, 41; 23:3, 5, 19, 30, 44; Hos 1:2; 2:4, 5; 3:3; 4:10, 11, 12, 13, 14, 15; 5:3, 4; 6:10; 9:1. Similar imagery is also found in Gen 34 and the book of Revelation.

15. Images of Israel, Judah, or Jerusalem as virgin are also found in Isa 23:12; 37:22; 47:1; Jer 14:17; 18:13; 31:4, 21; 46:11; and Ezek 23:3, 8; 44:22.

16. LeAnn Snow Flesher, "Lamentations," in *The IVP Women's Bible Commentary* (ed. Catherine Clark Kroeger and Mary J. Evans; Downers Grove, Ill.: InterVarsity Press, 2002), 392–95.

Weems has probed the use of female imagery by the prophets as a rhetorical device, and her work helps to explain some of the imagery in Judith as well. Weems notes that in ancient Hebrew culture part of the male's responsibility was to protect the sexual purity of the women in the household. Thus, the males were obligated to protect all the women of their household: wives, daughters, sisters, and even widowed mothers. Male status and prestige could rise and fall according to a male's ability to protect the women in his household. Those men who were successful at this were honored; those who were not were shamed.[17] On the other hand, only the marriage metaphor was capable of signifying failure to obey and conform to prevailing social norms as a moral and social disgrace. A wife's sexual unfaithfulness brought shame upon her and a dishonor to her husband and warranted retaliation. No other familial relationship carried this weight. A parent might be gravely disappointed and dishonored by a rebellious child, but an unfaithful wife was the ultimate social disgrace. Women's sexuality posed a threat to men; it was a double-edged sword. A disgraced woman meant that her husband (or father, for an unmarried woman) either could not protect or could not control her sexuality. Either situation was tremendously dishonoring and shameful.[18]

Stone's study on sex, honor, and power in the Deuteronomistic History has emphasized the way in which the description of sexual activity is used in Hebrew narrative. He has concluded that stories about sexual activity have been utilized in these narratives because of the results that they produce, mainly that they are related in some way to conflicts between male characters. For the most part, there is little or no interest expressed in these stories about the women themselves; instead, the stories depict the reality that females and their sexuality were owned by men and, consequently, used by men to shame other men.[19] Stone's conclusions support Judith's interpretation of Gen 34 as a story about conflict between the men of Shechem and the men of Israel.

Schwartz has noted that politics and sexuality are so deeply integrated in the narratives of the Hebrew Bible that it is anachronistic to understand them as two different spheres of life.[20] As such, it is clear that women played a significant role in the econo-political system. The sexual rights of women, the selling and exchanging, even stealing, of women between political leaders, confers power in patriarchy and establishes power relations between men.[21] In her interpretation

17. Renita Weems, *Battered Love: Marriage Sex and Violence in the Hebrew Prophets* (Minneapolis: Fortress, 1995), 42–43.

18. Ibid., 28–32, 41–43.

19. Ken Stone, *Sex, Honor, and Power in the Deuteronomistic History* (JSOTSup 234; Sheffield: Sheffield Academic Press, 1996), 134–39.

20. Regina M. Schwartz, "Adultery in the House of David: The Metanarrative of Biblical Scholarship and the Narratives of the Bible," *Semeia* 54 (1991): 45–46.

21. Ibid., 46.

of the story of David and Bathsheba, Schwartz blurs the lines between David's sexual fidelity and divine fidelity, suggesting that the story is as much about, or at the very least a foreshadowing of, Israel's infidelity to YHWH as it is about David's stealing another man's wife. Her conclusion is that the stories about fidelity and infidelity, whether sexual or divinely oriented, are descriptions of Israel violating sociopolitical and religious identity constructs.[22]

Finally, Exum makes a distinction between female power and authority in the Bible. In her definitions, authority is a sociocultural construct where entities have authority due to social status and/or position. In a patriarchal society such as early Israel, women would not have authority but might have power. Exum defines power as the ability to accomplish a goal or task. For example, Rebecca created a means for Jacob to gain the blessing over Esau.[23]

Given this all too brief description of honor and shame in relationship to female sexuality, we can suggest that Judith's interpretation of the Dinah story with its emphasis on virgin Israel being raped and later avenged is a rhetorical device that accomplishes at least three goals. First, it casts the current crisis as a parallel to the crisis spoken of in the story of the rape of Dinah described in Gen 34. Second, it strives to create sympathy for Bethulia and Jerusalem and reminds God of the need to protect and defend God's virgin daughter cities. Third, it establishes a mindset of need and protection for women in general, which is then applied directly to Judith, a widow unattached to a male household, a woman of great wisdom and faithfulness (8:1–8, 28–29) who is consequently in need of, and deserving of, direct protection from God, as she is also the leader designated by God to bring deliverance. Thus, when Judith says "hear me also, a widow," she is entreating God to listen to her plea for deliverance for Bethulia and for herself. While the use of and emphasis on female imagery here is intended, at the very least, to arouse God's sympathy for Bethulia and Judith, one might even go so far as to suggest that this use of female imagery is also an attempt to obligate God, the husband (or father?)[24] of Bethulia and of Judith, Bethulia's child, to protect and to deliver.

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22. Ibid., 51.

23. J. Cheryl Exum, *Fragmented Women: Feminist (Sub)versions of Biblical Narratives* (JSOTSup 163; Sheffield Academic Press, 1993), 136.

24. The use of female imagery to speak about Jerusalem and Zion goes well beyond logical human family patterns. Zion/Jerusalem is a mystical figure of love for the people of Israel. Thus, the imagery is more about creating an emotional response to Zion/Jerusalem, i.e., to vilify or create empathy for her, than it is to work out a logical line of relationship between her and her God. In fact, the imagery can shift from unfaithful harlot to virgin daughter within the same verse. Such shifts in the use of the metaphor create the tension between anger and compassion for the city that was destroyed because of its sin (Frymer-Kensky, *In the Wake of the Goddess*, 177).

In addition, all of the female metaphorical language plays into the relationship between honor and shame. If God does not protect his women, then God will be shamed along with Bethulia and Jerusalem. However, if God protects and delivers, then the enemy of Bethulia will be shamed, and God will be honored. It has long been noted that Judith's role in this novella turns patriarchy on its head. Judith is the only character in the book who has a vision for what God is doing. The townspeople are overcome by their fear, and in response Uzziah and the elders have exhibited poor leadership. But one might ask: Why this tale and why a heroine? It is clear that a major theme of the book, and a major focus of Judith's argument in chapter 9, is that Israel's God is the God of the lowly, helper of the oppressed, upholder of the weak, protector of the forsaken, savior of those without hope (9:11). Judith as heroine facilitates this emphasis. But there is more. As Levine has noted, the only fit male companion for Judith is the deity. Holofernes is inept, Achior faints at the sight of Holofernes' head, and Uzziah has a naïve theology.[25] The character of Judith, while often compared to Deborah, takes the lead over Deborah with regard to independence, authority, and leadership because of her status as widow. Judith is required to answer only to God, and although she acts out of her own initiative and planning, she acts in faith, believing God has heard, and will grant, her petition for deliverance.

The story of Judith is a good example of the integration of politics and sexuality: Nebuchadnezzar and his armies are defeated due to Judith's deceptive seduction of Holofernes. Only in this tale the female's sexuality is not given away by her husband or father but by Judith herself. In 12:12 Holofernes states "It would be a disgrace if we let such a woman go without having intercourse with her. If we do not seduce her, she will laugh at us" (NRSV). This is a play on honor and shame as it relates to the integration of politics and sexuality. Just as the Shechemites laid claim to a relationship with Israel after the rape of Dinah, Holofernes believes he will lay claim to Israel after having conquered their leader in bed. Judith not only plays along with Holofernes' scheme but has created the opportunity for it to happen, all the while trusting God to deliver her, Bethulia, and Jerusalem from the threat of Nebuchadnezzar's army. After all, with God as her husband and the father of her city, how could she fail? To be overcome by Holofernes would bring dishonor to Judith, God, and all of Israel.

Judith's cry for a hearing is supported rhetorically by the complex description of God's saving of Israel from the Shechemites as depicted in Gen 34. Judith uses this tale to draw parallels and contrasts for her own situation. Bethulia, like Israel in Gen 34, is in danger of being raped by a foreign nation. However, the rape has not yet taken place, and Judith's cry for a hearing is an attempt to get God's

25. Amy-Jill Levine, "Sacrifice and Salvation: Otherness and Domestication in the Book of Judith," in *"No One Spoke Ill of Her": Essays on Judith* (ed. James C. VanderKam; SBLEJL 2; Atlanta: Scholars Press, 1992), 20–21.

attention before disaster hits. Judith's inclusion of her status as widow (9:4) within her plea acknowledges her status as an independent agent in need of God's direct assistance and protection.

Motive Clause(s) and Complaint (9:5–7, 11–12)

The underlying themes discussed above are supported by the elongated motive clause found in 9:5–6 as well as the complaint against the enemy found in 9:7–10. In the latter section Judith depicts the enemy as a prideful nation that boasts in its military prowess, does not comprehend the Lord who crushes wars,[26] and intends to defile and destroy the Jewish temple.

Westermann discerned three types of complaint that appear in the lament psalms: the complaint against God; complaint against the enemy(ies); and the complaint about current distressful circumstances experienced by the psalmist and/or Israel.[27] The only explicit complaint in Judith's lament is against the enemy. Thus, apparently the author of Judith has no complaint against God or the Jews. In Jdt 9:5–6 we find evidence of a deterministic theology that is common to this era. According to 9:5–6, Judith has no problem with God's behavior up to this point because she believes all these things have been appointed and decided on and that God's judgment is with foreknowledge. In other words, God is righteous and just. However, the positioning of this statement immediately upon the heels of Judith's cry for a hearing as well as the use of γὰρ at the beginning of 9:5 suggest that 9:5–6 is one long motive clause, and as such these verses function to support Judith's plea for a hearing. God should listen because the people are innocent! God may be righteous, but the people have not brought this calamity upon themselves (see also 8:18–20). Rather, it is all a part of God's master plan.

Although there are no overt attestations of innocence (nor confessions of sin), the theology of determinism embedded in the motive clause of 9:5–6 doubles as a statement of innocence. If God predetermined the current crisis and the current crisis is parallel to Judith's interpretation of the rape of Dinah, then Bethulia is an innocent victim in need of vindication. In addition, attestations

26. This phrase brings to mind the holy war mentality as outlined by von Rad: (1) the soldiers recruited were Yhwh's people; (2) the soldiers, weapons, and camp had to be kept holy; (3) the war was initiated by a cry of the oppressed; (4) Israel needed only firm trust in God or God's name; Israel was not to fear and did not need a great army; (5) profit and honor of victory were to be ascribed exclusively to Yhwh; (6) the holy war began with a war cry and concluded with a curse on the enemies; (7) the victory came from an unexpected terror of God that occurred in their camp; and (8) the holy war ended with the militia's return home. For a full rendering of the theory as von Rad presented it as well as critiques of it, see Ee Kon Kim, *The Rapid Change of Mood in the Lament Psalms* (Seoul: Korea Theological Study Institute, 1985), 165–69. More will be said below about how holy war theory relates to the story of Judith.

27. Westermann, *Praise and Lament*, 165–212.

of helplessness and oppression are found in 9:11. Judith builds her case on the idea that her people are innocent, weak, lowly, oppressed, forsaken, and without hope. (9:11). Each of the descriptions of weakness is juxtaposed to another that proclaims God as helper, upholder, protector, and savior (another motive clause, 9:11). Judith's rhetoric is clear: we are innocent, and you predetermined these events; we are weak, and you are strong; we are your virgin daughter, and you are our protector; the enemy seeks to destroy Jerusalem and the temple and to dishonor the covenantal promises between us, and you know their plan; let every nation know that you are God and that there is no other who protects the people of Israel (final petition for deliverance).

Petitions (9:8–10, 13–14)

Judith's first petition expresses her wish that God would break the enemies' strength by God's own might (9:8). This would bring shame upon the enemies and honor to God. Continuing her petitions, Judith asks that God would use her, a widow, to bring down the enemy—"by the hand of a woman" (9:9), for defeat brings shame to the loser, but to be brought down by the hand of a woman increases the shame exponentially.[28] We are reminded of the story of Jael pounding the tent peg through Sisera's temple into the ground in Judg 4 and 5.[29] In this moment Sisera and his people (the Canaanites, according to the story) were utterly shamed because they were defeated by the hand of a woman. Also shamed was Barak, the Israelite commanded by God, through Deborah, to go to battle against Sisera, because he would not go without Deborah, and so the enemy was given into the hand of a woman. Similarly, in the book of Judith, Uzziah and the elders, who would not go into battle on behalf of Bethulia, leaving the job to be done by a woman, will also be shamed. Just as Jacob in Gen 34 did nothing to defend the rape of his daughter Dinah, leaving it to the younger men, Dinah's brothers, to bring vindication, so too Uzziah and the elders of Bethulia have not risen to the occasion, leaving it to Judith, a widow, to bring the victory.

Finally, much has been made of Judith's petition that God would bless her deceitful words (9:10–13) toward the goal of the destruction of the enemy. When viewed at the level of the story alone, this request is taken as a moral blemish in the book. If the character of Judith in the story represents Judas Maccabeus in the real world, then the request for Judith's lies to be blessed is a request for Judas's

28. See Judg 9:53–54, where Abimelech is attacked by a woman who throws a millstone on his head that crushes his skull. Before he dies, Abimelech calls his armor bearer and tells him to draw his sword and kill him so it will not be said that "a woman killed him." However, the recollection of the incident in 2 Sam 11:21 states that a woman threw a millstone on his head so that he died.

29. Several scholars have suggested that Judg 4–5 functions as a literary model for the book of Judith. For a thorough listing of these, see van Henten, "Judith as Alternative Leader," 224.

military tactics to be blessed.[30] Judas was known for his military prowess, which included cunning maneuvers and fantastic victories.[31] Such a request expresses the desire to establish the Hasmonean dynasty (see 1 and 2 Maccabees). Yet how does it all fit together theologically? The key is the use of the Simeon story in combination with the theology of determinism. If God has predetermined all things, then the logical conclusion is that the enemy's rebellion against God is part of the plan. Similarly, their demise is part of the plan. Such logic appears to contradict an earlier statement in the text: "God has said, 'It shall not be done—yet they did it' " (9:2). Judith has stated, "If we are captured … our sanctuary will be plundered, and he will make us pay for its desecration with our blood" (8:21). It would seem she understands the defilement of the temple to fall into the category of God has said, "it shall not be done." Later, in Jdt 8, our heroine declares that the entire plan is a test of Jewish faith and faithfulness (8:25–27). Similarly, the situation in Gen 34 was a test of the faith and faithfulness of Jacob's clan, a test that was initially botched by Dinah's attack[32] but later rectified by Levi and Simeon. Consequently, Judith's plan to deceive and conquer is legitimated because God predetermined the enemy's rebellion as well as their demise by the hand of Judith, a deceitful widow. Thus, according to Judith's theology, the leaders of Bethulia must take immediate action, so as not to fail God's test as the clan of Jacob did,

30. According to Lawrence M. Wills, the power of deceit was recognized in wisdom teachings that were roughly contemporary with Judith (see Jas 3:5–12; cf. Wis 1:8; Matt 12:36–37). While the use of deceit was usually viewed by the pious as negative, Judith is intending to use it for good. Yet according to Wills, "She is clearly reversing the accepted standards of Jewish ethics" ("The Book of Judith," *NIB* 3:1144). Given Wills's assessment, the parallel with Judas Maccabeus's military tactics fits all the more, as he was thought to have led his armies into battle on the Sabbath.

31. Judas Maccabeus is the protagonist of the book of 1 Maccabees, in which he is given the epithet "Maccabee" in 2:4 and 66. The term *Maccabee* is often thought to mean "hammerer" and is a tribute to his military prowess. Judas won victories over several Seleucid armies by using knowledge of the terrain and surprise as some of his key weapons. Before he died he established a treaty of friendship with Rome. See James C. VanderKam, *An Introduction to Early Judaism* (Grand Rapids: Eerdmans, 2001), 62–69. Descriptions of Judas's effective military exploits can also be found in Josephus, *Ant.* 12.6–11.

32. Dinah's attack should never have occurred but came as the result of human error, i.e., poor judgment and a lack of male protection. Consequently, it was a very shameful occurrence that needed to be vindicated. Joseph Fleishman has suggested the story is not about rape at all but about Shechem snatching Dinah to be his wife ("Shechem and Dinah—In the Light of Non-biblical and Biblical Sources," *ZAW* 116 [2004]: 12–32). Whether a rape or a snatching, the story in its current canonical form depicts Shechem's relationship with Dinah as a disgraceful defilement (Gen 34:13–14), which Alexander Rofé has deemed inconsistent with laws about treatment of virgins ("Defilement of Virgins in Biblical Law and the Case of Dinah [Genesis 34]," *Bib* 86 [2005]: 369–75). This essay will focus only on Judith's interpretation of the Gen 34 account, leaving the discussion of laws related to marriage, rape, and women's sexuality for another occasion.

with the result that Jerusalem and her temple will be saved and justice will reign in the end.

Initial Conclusions

The story of Judith is about providing a theological interpretation of the crises of persecution, oppression, and martyrdom in the Seleucid era. The reference to the people's lament (Jdt 7) and Judith's recorded lament (Jdt 9) offer a window into the theological perspective of the author, who strives to provide a framework through which the audience might interpret life in Palestine and the Diaspora under antagonistic foreign attack and rule and respond to the situation.

The first lament (7:19–29) is directed to Uzziah and the elders and uncovers the author's theological interpretation of the non-Hasmonean Jewish response to the crises of the day. Working from the core of the story outward, the people have accused Uzziah and the elders of having brought a great injury upon them by not surrendering to the Assyrians. Vecko's work in Baruch helps make sense of this accusation. According to Vecko, "the author of Baruch considered Hasmonean policies as being contrary to God's plans.… Jeremiah's words (e.g., Jer 27) served the author in stating that rebellion against the Seleucids held the Jewish community in a state of guilt."[33] According to Werline, Baruch was written in protest to Judas Maccabeus's siege of the Akra and in support of the policies of the high priest Alcimus, who was supportive of the Seleucid government and believed the time of liberation for the Jews had not yet come.[34] It seems that the book of Judith was written from the Hasmonean perspective, for while the lament of the people in Judith mirrors the concerns of the author of the book of Baruch, it is condemned by Judith. Simultaneously, Uzziah and the elders (i.e., Alcimus and the elders) are chastised by Judith as being poor leaders.

The people are convinced God has already sold them as slaves to the Assyrians, due to their sin of noncompliance with Nebuchadnezzar. Uzziah and the elders do not believe it is yet time for their liberation, but also believe God will not forsake them forever (see 7:30). According to the author of Judith, the whole lot of them has turned too quickly to their Second Temple penitential theology, which

33. Terezija sr. Snezna Vecko, "There Is Hope for the Scattered People: Baruch 1:15ab–3:8" (paper presented at the Penitential Prayer Consultation at the Society of Biblical Literature Annual Meeting, San Antonio, Texas, 22 November 2004), 22. Vecko notes that this opinion is shared by Odil Hannes Steck, *Das Buch Baruch*, *Der Brief des Jeremia, Zusätze zu Ester und Daniel* (ATD 14; Göttingen: Vandenhoeck & Ruprecht, 1998), 285–303. See also Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution,* (SBLEJL 13; Atlanta: Scholars Press, 1998), 87–88. Both Vecko and Werline rely on Jonathan A. Goldstein, "The Apocryphal Book of Baruch," *PAAJR* 46–47 (1979–80): 179–99.

34. Werline, *Penitential Prayer in Second Temple Judaism*, 87–88.

asserts that God is always righteous and humans are the covenant breakers.[35] The people have concluded that this crisis is upon them because God is punishing them for their sins as well as the sins of their ancestors.[36]

Further, the author of the book of Judith interprets the lament(s) of the people as evidence that their courage has failed. The fear of the people has overcome them, causing them to surrender all too quickly to lives of enslavement (see 7:27). The penitential laments of the people are artfully disaffirmed by the author of Judith, as evidenced by the closing line "and they cried out to the Lord God with a loud voice," which is reminiscent of the cycle in the book of Judges—leading the reader to expect a judge to be raised up to bring deliverance.[37] And that is exactly what happens.

Judith's lament (Jdt 9) follows immediately upon the heels of the heroine's confrontation with Uzziah and the elders. Judith's words emphasize the author's conclusion that the Jews have not sinned. They have not had other gods, as their ancestors did. Thus, the author affirms the theological interpretation of the Babylonian exile. Israel was handed over to Babylon and punished because of its unfaithfulness to God. However, this affirmation of the interpretation of the Babylonian exile is set in contrast to the present situation. The current circumstances are different. The people, due to their lack of courage, have turned too quickly to the conclusion that God has sold them into the hands of the enemy (7:25). While one might expect to find a penitential prayer here,[38] we hear only that a great lamentation arose in the assembly (7:29).

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35. William Morrow, "The Affirmation of Divine Righteousness in Early Penitential Prayers: A Sign of Judaism's Entry into the Axial Age," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:101–18. See also Morrow's full-length study on the eclipse of the lament postexile in *Protest against God: The Eclipse of a Biblical Tradition* (Hebrew Bible Monographs; Sheffield: Sheffield Phoenix, 2006).

36. Mark Boda has suggested that guilt is accumulative for future generations only if they replicate illicit behavior ("Confession as Theological Expression: Ideological Origins of Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:39).

37. Sidnie Ann White ("In the Steps of Jael and Deborah: Judith as Heroine," in VanderKam, *"No One Spoke Ill of Her"*, 5–16) has noted several correspondences between Judges and Judith. For example, both Jael and Judith are identified as married, but with husbands who are absent for some reason, so too Deborah (Judg 4:4). While women in patriarchal Israelite society typically received their identity from men (i.e., fathers and husbands), in Judith and Judges the heroines receive identity from their actions and in turn give identity to their husbands, thus turning the stereotype on its head. A second obvious correspondence is the phrase "by the hand of a woman," which predicts victory for Israel by means of cunning female military tactics. Finally, in each case, Judges and Judith, the victory literally occurs by means of a heroine physically smashing or decapitating the enemy general with her own hands.

38. Jay C. Hogewood ("The Speech Act of Confession: Priestly Performative Utterance in Leviticus 16 and Ezra 9–10," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:80) has

Uzziah, the elders, and the people seek to avert further disaster by means of following Jeremiah's prophetic message that commanded the exiles to submit to the foreign ruling authorities, as they are a sign of God's punishment against the people. Ironically, to submit to the foreign rulers was understood by some, such as Baruch, as obedience to God and a means for speeding the end of foreign domination.[39] While the people have already committed themselves to this mindset, Uzziah and the elders have created a way to stay them off, albeit for a short time. However, Judith disagrees with this approach. She finds in Uzziah and the elders' response a certain lack of leadership and accuses them of testing God and of trying to force God's hand.[40] Further, she accuses them of being a bad example to the people and of not providing the leadership necessary to protect the people, Jerusalem, and the temple. The testing theme is very important for Judith and the author, as it is the glue that holds their theology together. In typical Deuteronomic penitential thought, God is righteous and the people culpable. However, Judith has already declared the people innocent. The key to this dilemma—God is righteous and the people are innocent—is God's testing of the people. Although innocent, the people can be tested by God, as has been exemplified by some of the great patriarchs of faith, such as Abraham, Isaac, and Jacob (8:26).[41] Should the people not pass the test, then they would be culpable.[42] Until then, they are innocent, in need of strong leadership, cunning warfare, and God's intervention.

In the end, Judith's response to the elders, as well as her lament, evidences her own commitments to aspects of the Deuteronomic theology of penance, for she agrees, as noted above, with the theology that God is always righteous and that the exile was God's punishment for Israel's sin of disobedience. However, she

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noted that the chief aim of these prayers is to remove the threat of exile.

39. Rodney Alan Werline, "Prayer, Politics and Social Vision in Daniel 9 and Baruch 1:15–3:8" (paper presented at the Penitential Prayer Consultation at Society of Biblical Literature Annual Meeting, San Antonio, Texas, November 2004), 16.

40. The Hebrew word is נִסָּה and the Greek ἐπειράσατε. When people put God to the test, hubris and lack of trust lurk in the background. They are attempting to force God's decisions and thus provoke God's jealousy and anger (F. J. Helfmeyer, "נִסָּה *nissâ*," *TDOT* 9:449). In contrast, Judith suggests that they give thanks to the God who is testing them (see 8:25).

41. Van Henten has noted only one incident in the Hebrew Bible where lack of water is coupled with the testing motif. This is the scene in the desert at Massah and Meribah (Exod 17:1–7; Num 20:2–13). Against this background, Judith's remark that the people must not put the Lord to the test, but the Lord was testing the people of Bethulia (through the water shortage), is fully justified. See also Deut 6:16; van Henten, "Judith as Alternative Leader," 233–34.

42. Andre Lacocque (*The Feminine Unconventional: Four Subversive Figures in Israel's Tradition* [Minneapolis: Fortress, 1990], 41) has rightly noted that the elders and the people are ready to compromise with the Hellenizers, which in Judith's theology would make them culpable. While Judith holds a high standard when it comes to Jewish ritual and tradition, she simultaneously counters the theology of divine retribution. Greek oppression and tyranny are a test of Jewish faithfulness, not a sign that the Jews have sinned.

also believes, even in the midst of tyrannical attack, that it is possible for the community of faith to be innocent. In many ways Judith is resurrecting a modified version of the holy war tradition (see n. 26), which was initiated by a cry of the oppressed (cf., 7:19), relied on a firm trust in God or God's name (not in Israel's prowess or military skill), and resulted in a victory based on an unexpected terror that occurred in the enemy's encampment.[43] Consequently, the solution to the current crisis is a move toward cunning warfare. Although the enemy is large and powerful in comparison to the Jews, who are few and weak, their God is the God of the weak, the lowly, the oppressed, the forsaken, and those without hope. Jerusalem has been widowed (see Lam 1:1), Bethulia is young and new, the virgin daughter of Jerusalem. Both images, widow and virgin, are images that conjure up sympathies, and God is obligated to protect them because they belong to God and the people have not sinned. God will raise up a leader who will be used to bring the needed deliverance.

Comparisons with Other Second Temple Literature

The book of Judith is but one theological interpretation of the many great crises of Second Temple Judaism. If indeed the book is a reflection on the victory won by Judas Maccabeus against Nicanor, a general under Antiochus IV Epiphanes, then it is one of several writings from the second century B.C.E. that provides a theological interpretation of the evils brought against the Jews under Antiochus IV's rule. Relevant for comparison to the book of Judith are Dan 7–12 (167–164 B.C.E.), *Sib. Or.* 3 (163–145 B.C.E.), and the Animal Apocalypse of *1 Enoch* (165–160 B.C.E.). Each of these apocalyptic books also provides a theological framework through which their audiences might interpret enemy attack(s) during the reign of Antiochus IV (and shortly thereafter) as well as a planned response to the same. Similar to Judith, the authors of *Sib. Or.* 3 and the Animal Apocalypse do not see the crisis created by Antiochus IV and his successors as caused by the sins of the people. The Animal Apocalypse speaks of an apostate Jewish group but affirms the

43. For a full description of the holy war tradition and an overview of scholarly writings pertaining to it, see Kim, *Rapid Change of Mood*, 159–226. The major difference between the holy war tradition and the events of the book of Judith is the human factor. Included in Judith is an emphasis on the cunningness of the heroine, obeisance to Judith, and her role in the victory by the people, as well as the lack of a miraculous salvation sans human assistance. Lacocque (*Feminine Unconventional*, 45) has noted that the story displays features of the Greek romance characterized by love and journey/quest or military prowess. Also characteristic is the happy ending after a reversal of fortunes, with the heroine's chastity intact. Also interesting is the mixture of prose and verse, which has no precedent in classical Greek literature but was common to Semitic literature. These associations reinforce the original comparison of Judith to a tapestry of traditions. Here it would seem we have Hebrew and Greek traditions/genres woven together into a complex new whole.

Hasmonean dynasty and its followers as a faithful remnant.[44] Meanwhile, Daniel presents a lengthy penitential prayer in chapter 9 in which he charges the Jewish people with the crime of disobedience, which caused God to bring the calamities that they were experiencing upon them (9:13–14). Venter, along with many others, has noted the discrepancy between the deterministic theology of the Daniel narratives and the Deuteronomic theology of the penitential prayer found in Dan 9. This discrepancy has caused some to suggest that the prayer in Dan 9 is a later addition that attempts to correct the theology of the narrative or vice versa.[45]

In addition, neither Daniel, *Sib. Or.* 3, nor the Animal Apocalypse views the crisis as the result of God's injustice. In the end, both Daniel and *Sib. Or.* 3 promote nonviolent resistance as the proper response. For the author of Daniel, the Jews are called to resist to the point of death with the hope that they will be resurrected in the end to shine among the stars, which is an allusion to being with the angels. For the author of *Sib. Or.* 3, the Jews are called to resist, and in the end God will come in judgment to vindicate them.[46] For the author of the Animal Apocalypse and Judith, the answer is also resistance, but a resistance through the taking up of arms.[47] God will provide a leader who will guide them to victory. In each of these writings the focus is on the justice of God, the evil of the enemies, and the warding off of the sin of enculturation.

Consequently, we may conclude that for the authors of *Sib. Or.* 3, the Animal Apocalypse, and Judith the answer to the crisis of their day was not penitence. This, of course, stands in contradiction to the beliefs of the people in Judith, as is expressed through their complaint to Uzziah and the elders. Thus, all four texts—*Sib. Or.* 3, the Animal Apocalypse, Daniel, and Judith—promote and support some form of resistance. All four books call for the Jewish community to remain faithful to their culture, their religion, and their faith. But for the author of Judith and the Animal Apocalypse, in contrast to the authors of Daniel and *Sib. Or.* 3, the answer is military resistance, lest they allow the temple to be trampled one more time.

While the Babylonian exile was interpreted theologically in Judith as punishment for the sins of the people, the author of Judith interprets the crisis of the Seleucid era in a very different way. The book celebrates the defeat of the

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44. The apostate community is represented metaphorically as blind sheep, a condition that existed even among the Jewish leaders during the monarchy, the exile, and the postexilic period. During the fourth period, lambs are born who begin to open their eyes and cry to the sheep; this group represents the faithful remnant of the author's eschatological community. See Werline, *Penitential Prayer*, 115–16.

45. Pieter M. Venter, "A Penitential Prayer in Apocalyptic Garb: Daniel 9," 40–44 in the present volume.

46. George W. E. Nickelsburg, *Jewish Literature between the Bible and the Mishnah* (Philadelphia: Fortress, 1981), 162–65.

47. See Patrick A. Tiller, *A Commentary on the Animal Apocalypse of I Enoch* (SBLEJS 4; Atlanta: Scholars Press, 1993), 104.

mighty Nicanor, general under Antiochus IV and Demetrius I. Simultaneously, it acknowledges the weakness of Israel in contrast to the armies of Antiochus IV. The author of Judith, working from the framework (mindset) of the Deuteronomic theology, has concluded that the victory won over Nicanor provides evidence that the people have not sinned, because God was with them and delivered them. Essentially, Judith and the author are saying to a new generation of Jews (Jews who are suffering the persecution and oppression of Antiochus VII sometime between 134 and 129 B.C.E.) that they do not need to repent but to fight; if they do not fight, they need to repent.

The comparison of the theological ideas of righteousness, innocence, culpability, the role of the enemy, the proper response to Hellenistic overlords, God's wrath, divine punishment, and violent versus nonviolent resistance that have been portrayed in the various canonical and extracanonical texts discussed in this essay has evidenced the transformation of forms (e.g., penitential prayers versus laments) driven by theological intentions. However, this need not convince one that the lament dropped out and was replaced by penitential prayer, as Westermann suggested years ago. Rather, one might conclude that the experience of the exile resulted in a shift in theological thinking, the most significant being that God is never the culpable party but always righteous. Consequently, the tone and the language of the prayers shifted in response to this new theological commitment. However, given the characteristics of Judith's lament in chapter 9, it seems clear that the basic structure of the lament was retained in this instance,[48] albeit embedded with a new theological commitment to the righteousness of God.

Each genre, penitential prayer and lament, seeks to achieve the same goal: to avert the wrath of God and to gain God's pity. The penitential prayer seeks these through confession of sin, while the lament seeks them through declarations of innocence, accusations that the punishment is greater than the crime, and complaints that the punishment has gone on too long. What really distinguishes the two is the theological perception of human culpability. While it is true that Second Temple canonical and extracanonical texts exhibit much penance in their prayers,[49] this study has shown that they contain a variety of theological

48. This structure includes: a cry for a hearing (9:4); reference to God's past saving deeds (rape of Dinah story, 9:2–3); attestations of innocence (implicit in the deterministic theology of 9:5–6); complaint against the enemy (9:7); petitions for deliverance (9:8–10); and vow to praise (9:14).

49. However, note, for example, a comparison of Pss 51 and 89, each of which is a response to the destruction of Jerusalem and the temple, which reveals both a theology of human culpability (Ps 51) and God's culpability (Ps 89). While in the latter the psalmist acknowledges human sin, God is still accused of breaking the covenant due to an eternal promise that an heir of David would always be on the throne (see 89:30–37). Note also Balentine's closing comment about the book of Job: "Perhaps the priestly tradition knew and valued the legacy of Job's refusal to relinquish lament for rituals of penitence that may be too inflexible to countenance

emphases and genres, including the "traditional" lament, with its emphasis on the innocence of the petitioner and her people.

a legitimate protest of innocence" ("I Was Ready To Be Sought," 20). Perhaps further study will unearth even more canonical and extracanonical examples of "traditional" lament structures and/or theological commitments to human innocence postexile.

The Form and Settings of the Prayer of Manasseh

Judith H. Newman

Introduction

This essay is an evaluation of the genre of the Prayer of Manasseh, which can be considered something of an orphan among Second Temple Jewish penitential prayers. The work of scholars who generated the consultation resulting in this volume has focused predominately on corporate penitential prayer of the early postexilic period.[1] As a means of broadening our understanding of the phenomenon of penitential prayer as a whole, this essay considers an individual prayer of penitence raising broader methodological questions about genre in its literary and social dimensions. The Prayer of Manasseh is different in many ways from the corporate penitential prayers of the early postexilic period, which raises questions anew: What determines our category of "penitential prayer"? If we are to move beyond the first-order structural and lexical elements of a genre in order to determine its ritual use, how do we understand the prayer in relation to its multiple contexts? How does the individual prayer of penitence relate to the presumed "institutionalization" of a communal penitential prayer genre in the Second Temple period? In responding to these questions, I have sought to incorporate perspectives about the nature of genre classification raised in recent work about the social construction and social setting of genre. The point of departure is to compare its formal similarities and differences with Ps 51, the prayer most often grouped generically with the Prayer of Manasseh. This paper argues that the language of the Prayer of Manasseh represents a counterdiscourse to other penitential prayers of the Second Temple period and points to more work that needs to be done in order to comprehend the development and ritual use of penitential prayer in the late Second Temple period.

1. I am grateful to my fellow members of the SBL Penitential Prayer Consultation steering committee for their work and to all those who participated in the group's meetings and provided interesting insights to further our work. I would also like to express appreciation for the support of the Netherlands Institute for Advanced Study and its staff, where I completed extensive revision of this essay while a Fellow in 2006–7.

Prayer and Structure

Let us first assess the Prayer of Manasseh itself and its relationship to Ps 51. I will take into consideration the shape or structure of each text and some comparison of the specific wording used, before turning to another essential feature of the genre, the pseudonymous attribution of each prayer, and to larger issues of genre classification.

Prayer of Manasseh[2]

[1] O Lord Almighty, God of our ancestors,
of Abraham and Isaac and Jacob and of their righteous offspring;
[2] you who made heaven and earth with all their order;
[3] who shackled the sea by your word of command,
who closed the abyss and sealed it with your terrifying and glorious name;
[4] at whom all shudder and tremble before your power,
[5] for the magnificence of your glory cannot be endured,
and the wrath of your threat to sinners is intolerable;
[6] yet immeasurable and unfathomable is your promised mercy,
[7] for you are the Lord Most High, of great compassion, patient, and very merciful,
and repenting [μετανοῶν] at human evil.
[a]O Lord, according to your great kindness you have promised repentance and forgiveness to those who have sinned against you, and in the multitude of your mercies you have constituted repentance for sinners, for salvation.[a] [3]
[8] Therefore you, O Lord, God of the righteous, have not constituted repentance for the righteous, for Abraham and Isaac and Jacob, who did not sin against you,
but you have constituted repentance for me, who am a sinner.
[9] For the sins I have committed are more in number than the sand of the sea;
my transgressions are multiplied, O Lord, they are multiplied!
I am not worthy to look up and see the height of heaven because of the multitude of my iniquities.

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2. The text is a translation of that found in Alfred Rahlfs's *Psalmi cum Odis* (Septuaginta: Vetus Testamentum graecum 10; Göttingen: Vandenhoeck & Ruprecht, 1931), whose apparatus includes the three primary Greek manuscript witnesses, the oldest of which is Codex Alexandrinus, as well as the Syriac of the *Didascalia* and the Greek of the *Apostolic Constitutions.*

3. The sentence between the superscript letters [a—a], 7b, is not found in the two earliest Greek manuscripts (Codices A, T) but is found in the Vulgate, a tenth-century Greek manuscript (55), the Syriac of the *Didascalia,* and the *Apostolic Constitutions*.

[10] I am weighted down with many an iron shackle, so that I am rejected
because of my sins, and I have no relief;
for I have provoked your wrath and have done what is evil in your sight,
setting up desecrations and multiplying abominations.
[11] And now I bend the knee of my heart, begging you for your kindness.
[12] I have sinned, O Lord, I have sinned, and I acknowledge my transgressions.
[13] I earnestly beg you, forgive me, O Lord, forgive me.
Do not destroy me with my transgressions.
Do not be angry with me forever or store up evil for me;
Do not condemn me to the depths of the earth.
For you, O Lord, are the God of those who repent,
[14] and in me you will manifest your goodness;
for, unworthy as I am, you will save me according to your great mercy,
[15] and I will praise you continually all the days of my life.
For all the host of heaven sings your praise and yours is the glory forever. Amen.

The structure of the Prayer of Manasseh is as follows:

A. Superscription/attribution and invocation of God (1–7)
   1. God of the patriarchs who created heaven and earth (1–5)
   2. God of mercy who instituted repentance (6–7)
B. Confession (8–12)
   1. Affirmation of divine economy of repentance (8)
   2. Recognition of unworthiness and sinfulness (9–10)
   3. Expression of contrition (11)
   4. Confession of sin (12)
C. Petition for forgiveness and mercy (13a–c)
D. Expression of trust in divine salvation (13d–14)
E. Psalmist's vow to praise God (15a)
F. Doxological conclusion (15b)

The structure of Ps 51 (Ps 50 LXX) is as follows:[4]

A. Superscription/attribution, initial petition for help (51:1–4)
B. Confession (51:5–8)
   1. Recognition of sin (51:5)
   2. Confession of sin (51:6a–b)
   3. Acknowledgement of God (51:6c–d)
   4. Recognition of sinfulness (51:7)

4. Because most readers are likely to be more familiar with the psalms numeration of the Hebrew Bible, I refer to the psalm as Ps 51 in this section rather than the Greek numeration Ps 50.

5. Acknowledgement of God and petition (51:8)

C. Renewed petition (51:9–14)
   1. Plea for absolution (51:9–11)
   2. Request for renovation (51:12–14)

D. Psalmist's vow to teach and to praise (51:15–17)

E. Abrogation of sacrifice (51:18–19)

F. Intercession for the future of Jerusalem and its temple (51:20–21)

Determining the precise relationship between Ps 51 and the Prayer of Manasseh is very difficult, because we cannot know with certainty whether the Prayer of Manasseh was patterned after Ps 51 and, if so, in what way. Although stereotypical language was recycled in later psalms, hymns, and songs of the Second Temple period, the distinctive wording of certain psalms seems to have had a more pronounced afterlife in the discourse of Second Temple Judaism than that of other psalms. Psalm 51 falls in this category.[5] Charlesworth points to what he terms "significant parallels" between the two prayers, but they are all structural elements and do not amount to recognizable direct borrowing of language.[6] Both prayers contain affirmations of divine mercy, recognition of sin, and vows to praise God if delivered from sin. The greatest structural difference is the eight-verse invocation in the Prayer of Manasseh. By contrast, Ps 51 begins immediately with a petition after the superscription and nowhere addresses God using the Tetragrammaton.

How, then, do these two individual penitential prayers compare to the corporate penitential prayers? Building on the work of other scholars, Boda identified six major elements of penitential prayer with subcategories as follows:

1. Praise
2. Supplication: (a) depiction of need; (b) muted lament; (c) implicit request
3. Confession of sin: (a) admission of culpability; (b) declaration of solidarity with former generations; (c) consistent use of the *hitpa'el* of ידה

5. Distinctive phrases from Ps 51:12–13 (Create for me a pure heart, O God … do not take your holy spirit from me) are reworked in the prologue of *Jub.* 1:19–21. Indeed, it is an important theological component of the book in that, in response to his petition, God assures Moses that Israel will be given a new heart and purified from sin forever. On the connection of *Jub.* 1:19 and Ps 51:12–13 to a Qumran confessional prayer, see Daniel K. Falk, "4Q393: A Communal Confession," *JJS* 45 (1994): 203.

6. See James H. Charlesworth's introduction to the Prayer of Manasseh in idem, ed., *The Old Testament Pseudepigrapha* (2 vols.; Garden City, N.Y.: Doubleday, 1983–8), 2:630. The case for a close intertextual relationship is stronger between the Prayer of Manasseh and other Second Temple prayers such as Aseneth's confession in *Jos. Asen.* 12:1–13:15, a long baroque individual confession, or the Prayer of Azariah, a corporate confession.

4. History: (a) anthological use of historical sources; (b) use of the contrast motif (divine grace/human disobedience)
5. Themes: (a) covenant; (b) land; (c) law
6. Purpose: to bring an end to the devastating effects of the fall of the state either in captivity, oppression, or the sorry condition of Palestine[7]

The Prayer of Manasseh and Ps 51 are more similar to each other as individual prayers of penitence than they are to the corporate prayers of penitence. The elements found in the corporate confessional prayers charted by Boda do not all appear in Prayer of Manasseh and Ps 51. They share some of the same structural elements, but in particulars they differ. A supplication, confession of sin, and rationale for the supplication are included in both the Prayer of Manasseh and Ps 51. The confession of sin does not accord with the threefold subcategories delineated. Two distinct differences in the confessional element of the prayer emerge. More generally, language pertaining specifically to sin according to Milgrom's "priestly doctrine of repentance" rooted in Lev 16 and 26 is absent.[8] Neither the Prayer of Manasseh nor the narrative context that gave rise to the Prayer of Manasseh in 2 Chr 33 contains the translational equivalent of the *hitpa'el* of the Hebrew ידה, a form of the Greek verb ἐχαγορεύω.[9] The Hebrew words מעל and אשם, both translated by the Greek πλημμέλεια (occasionally מעל is translated ἀσυνθεσίᾳ), are also absent from Prayer of Manasseh.

No mention is made of the themes of Mosaic covenant, the land, and the Torah. There is no phraseology with a Deuteronomistic cast. Missing also is the confession of the sins of the ancestors, the vertical retribution element.[10] Indeed, the reverse is true. Abraham, Isaac, and Jacob and their righteous offspring are extolled as wholly righteous, as opposed to the sinful Manasseh. It is not clear exactly why the petitioner does not consider himself one of the righteous offspring of the patriarchs but rather a most unworthy potential recipient of divine grace.

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7. Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; New York: de Gruyter, 1999), 28.

8. For his original exposition on the subject, see Jacob Milgrom, *Cult and Conscience: The Asham and Priestly Doctrine of Repentance* (SJLA 18; Leiden: Brill, 1976).

9. The inclusion of the *hitpa'el* of ידה as a feature of the penitential prayers is problematic in the sense that only one of the prayers contains the form within the prayer itself (Neh 1:6). The other references are found in the narrative contexts around the prayers (Ezra 10:1; Neh 9:2, 3; Dan 9:4, 20), which raises a perennial question of the relation of the prayers to their narrative contexts and whether or not they were inserted by an editor or composed by the same hand as was responsible for the context.

10. Ps 51:5, which suggests that the psalmist was "conceived in iniquities" (LXX), could be understood to suggest that this was owing to the "sins of the parents," but this is not stated explicitly.

Wording of the Prayer of Manasseh

As has been frequently noted, the prayer is rich in scriptural allusion and echo, although pinning down such intertextuality in detail is not necessary for our purpose of distinguishing the distinctive wording of the Prayer of Manasseh from Ps 51 and more broadly from the tradition of corporate penitential prayer. There is, however, one passage in the prayer that not only links the prayer to Ps 51 but also differentiates the prayer from its predecessors. Prayer of Manasseh 7–8 contains a partial citation of the divine attribute formula and the promised result of repentance. The verses are of particular significance because they lie at the heart of understanding the divine economy of forgiveness underlying Manasseh's confession of sin. As many scholars have observed, Exod 34:6–7 was frequently reformulated in subsequent biblical texts, with emphasis accorded either to the merciful attributes of God or the retributive attributes. The first half of the divine attributes likely was the substance of a liturgical formula used from an early period in psalms and prayers.[11] Its occurrence in the Prayer of Manasseh is thus not surprising, but it is important to note exactly how it was deployed.

A few comments on the Greek of verse 7 are in order. The phrase in the first half of the verse is readily recognizable from Exod 34:6: "The Lord passed before him, and proclaimed, 'The Lord, the Lord, a God merciful and gracious, patient, and abounding in steadfast love and faithfulness.' " Yet it appears with some modifications. First, the more usual Greek translation of the Hebrew רחום, οἰκτίρμων, is here rendered with the less common εὔσπλαγχνος. A more significant modification occurs in the phrase ונחם על-הרעה, literally, "repents concerning wickedness," which appears in Greek as μετανοῶν ἐπὶ κακίαις ἀνθρώπων. As it occurs in the Bible, the phrase "repents/relents concerning wickedness/evil" is somewhat ambiguous, its precise meaning contingent on context. רעה/κακία in this phrase can mean, on the one hand, the punishment that God inflicts on those who have sinned (Jonah 4:2; Joel 2:12). On the other hand, it can also mean the wicked deeds of humans that would presumably be subject to such punishment (Jer 8:6; see also Acts 8:22). On occasion, both meanings can appear in the same verse, as they do in Jer 18:8, when God promises that if a nation turns from its evil ways, God will relent of the evil that would ensue as punishment.[12] The Prayer of Manasseh specifies that God is merciful and relents in the face of human evil (literally, "evil of humans"), which would tend to suggest that the wickedness of humans is here emphasized, rather than the punishment inflicted by God as a result of human sin. Ambiguity remains.

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11. See, e.g., the discussion in Michael Fishbane, *Biblical Interpretation in Ancient Israel* (New York: Oxford University Press, 1985), 335–50.

12. Although the divine attribute formula is absent in the passage, Jer 26:3–13 also affirms the idea that God can change his mind in the face of the people's repentance.

The wording that appears in Jonah and Joel related to God's relenting concerning divine punishment ultimately draws on the paradigmatic passage in Exod 32 after the episode with the golden calf. In Exod 32:12–14, Moses begs (the Greek uses the same verb that appears in Pr Man 11, 13, δέομαι) God to forgive the people's sins, and God relents concerning the intended punishment. The phrase seems clearly to draw on Jonah 4:2 and Joel 2:12–14, both of which transform the divine-attribute formula of Exod 34:6 by adding "and relents from evil" in place of the final attribute of "true" as well as omitting the "cumulative-sin" clause proclaiming divine retribution for sin to the third and fourth generations but covenant faithfulness to the thousandth. Nehemiah 9:17, the sole corporate penitential prayer that includes reference to the divine-attribute formula, adds simply that God "did not abandon them" (the wilderness generation). Within the rhetorical context of the Prayer of Manasseh, in any case, the final clause, "repents of evil," summons up the reciprocal actions of God and humans. Just as God relents/repents of human wickedness or God's evil intent for humans as a result of their wickedness (v.7), so ought humans, *in imitatio Dei*, to repent from human sinfulness (v. 8).

The second half of verse 7 is also significant because it suggests an evolved teaching and practice concerning repentance and reconciliation. Moreover, its claim that repentance was divinely constituted for sinners rather than for the righteous is striking in that it appears nowhere else in penitential prayers. The verse affirms a divine promise that God had given repentance and forgiveness to sinners in order for their salvation. Yet nowhere else in Second Temple Jewish literature is there such an explicit promise of forgiveness for sinners in contrast to the righteous.[13] Other Second Temple literature nonetheless shares the view that God had ensured such a mechanism, although the specifics vary. I argue elsewhere that *L.A.B.* 12, 15, and 19 serve the purpose of depicting Moses as a righteous and efficacious intercessor without parallel, whose potent prayer in *L.A.B.* 19 convinces God to grant an eternal covenant of mercy to Israel, rooted in the divine attribute formula of Exod 34:6.[14]

The *Testament of Gad* also offers details about the economy of divine forgiveness and human repentance and about the means by which humans should reconcile with each other. Gad confesses his sin of hating Joseph to his children, then describes the damage hatred can do. He eventually comes to understand the virtue in repentance, because "repentance destroys disobedience, puts darkness to flight, illumines the vision, furnishes knowledge for the soul, and guides the

13. Cf., however, the saying of Jesus in the Synoptics: Matt 9:13; Mark 2:17; Luke 5:32.

14. Judith H. Newman, "The Staff of Moses and the Mercy of God: Moses' Final Intercession in Pseudo-Philo 19," in *Israel in the Wilderness* (ed. Kenneth Pomykala; Themes in Biblical Literature 11; Leiden: Brill, forthcoming). See also Richard J. Murphy, "The Eternal Covenant in Pseudo-Philo," *JSP* 3 (1988): 43–57.

deliberative powers to salvation" (*T. Gad* 5:7).[15] Although the exact contours of such penitential practices in late Second Temple Judaism have yet to be mapped, they reflect an evolved but still developing sense of the economy of divine punishment and forgiveness.[16] The penitential prayer that we are examining may have been one element of a larger halakic economy of repentance and restoration involving not only divine-human interaction but interpersonal responsibilities rooted in part on the interpretation of Lev 19:15–19, which contains the admonition not to hate one's neighbor in one's heart but to reproach one's neighbor.[17]

Having considered the significance of wording that appears in the Prayer of Manasseh, it is important to consider how the language compares both to that in Ps 51 and to the language of corporate penitential prayers. Mark Boda's work in charting the principal structural elements of corporate penitential prayers, listed above, and in creating an extensive list of common vocabulary among communal penitential prayers permits an easy evaluation after adjusting to Greek translational equivalents.[18] It is striking, in fact, how dissimilar the lexicon of the Prayer of Manasseh is from both Ps 51 and the corporate penitential prayers. Like the penitential prayers, Ps 51 uses language drawn from Priestly and Ezekielian discourse. The petition of the psalmist in Ps 51:9 (LXX 50:9) for God to remove sin by means of sprinkling with hyssop recalls the rites connected with the purification of the leper (Lev 14) and the red heifer (Num 19). The distinctive request for God to create in the psalmist a clean heart recalls Priestly creation language. The request for a new and right spirit appears to allude to Ezek 18:31 and 36:15–26. Reference to God's holy spirit, unique to this prayer and Isa 63:10–11 in the Hebrew Bible, also has a Priestly cast. Only Ps 51 contains any mention of sacrifice with the claim that the sacrifice most acceptable

15. Cf. the theology expressed in the prayer of Joshua, *L.A.B.* 21:2–6.

16. Philo, *Praem.* 163–164, also articulates a penitential process that includes feeling shame, changing ways, mutual reproach, and sincere confession that is assured acceptance and mercy from God. Consider, too, the argument of David Lambert ("Fasting as a Penitential Rite: A Biblical Phenomenon?" *HTR* 96 [2003]: 477–512) that fasting as an expression of penitence, rather than as a physical expression of grief to call divine attention to human distress, is a phenomenon that postdates the Hebrew Bible, with the exception of Dan 4:12.

17. James L. Kugel ("On Hidden Hatred and Open Reproach: Early Exegesis of Leviticus 19:17," *HTR* 80 [1987]: 43–61) has elaborated on the exegetical expansions of Lev 19:17–18 in, *inter alia*, Sir 19:13–17; CD 9:2–8; Matt 18:15. James also participates in this discourse, a feature of the epistle that warrants further examination; see Luke T. Johnson, "The Use of Leviticus 19 in the Letter of James," *JBL* 101 (1982): 391–401; and Jacob Milgrom, *Leviticus: A Book of Ritual and Ethics* (CC; Minneapolis: Fortress, 2004): 226. For halakic practices relating to repentance at Qumran, see further Bilhah Nitzan, "Repentance in the Dead Sea Scrolls," in *The Dead Sea Scrolls after 50 Years* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1999), 2:145–70, esp. 152–60; and Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls* (BJS 33; Chico, Calif.: Scholars Press, 1983).

18. Boda, *Praying the Tradition*, appendix B, 203–4.

to God is a "broken spirit." The sins for which Manasseh is confessing involve idolatrous worship (Pr Man 10), "setting up desecrations and multiplying abominations." The sins of Ps 51 are mentioned only in general terms; further specificity might be inferred from the superscription that refers to Bathsheba, but that is left to the reader's imagination.

While both the Pr Man 11 and Ps 51:8, 12 make reference to the psalmist's heart, which itself likely marks an exilic or postexilic idea, the prayers do so in distinctively different ways. The psalmist of Ps 51 has a passive role in requesting a clean heart that only God can create. The Prayer of Manasseh, by contrast, indicates that the pray-er bends the knee of his newly submissive heart in begging for mercy for sins committed.[19] A similar contrast between passive and active roles is found in the vow to praise. Psalm 51:17 asks God to open the psalmist's lips in order to praise God; in Pr Man 15, the pray-er will take the initiative to praise God. On the other hand, the consequence of expunging sin for the sinner in relationship to the community is described differently. In Ps 51:13, restoration will allow the psalmist actively to teach sinners God's ways so that they too might repent, while Pr Man 13b–14a states simply that the "God of those who repent" will manifest (passively) God's goodness in the pray-er as a sign to others.

Both prayers contain an element of lament that bemoans the suppliants' current situations of distress. Manasseh's distress (Pr Man 10) is related to the chains and shackles of his presumed imprisonment in Babylon, derived from the narrative context of 2 Chr 33. No physical torment is described in Ps 51; rather, the psalmist's inner distress results from the prospect of suffering the consequences of "bloodguilt" and of being cast from God's presence. There is a clear statement in Ps 51:6 (LXX 50:6) of God's justification in punishing the psalmist; the Prayer of Manasseh does not similarly acknowledge the righteousness of God, as do Ps 51 and most of the corporate penitential prayers. There is no mention of the cumulative sin of the fathers in either Ps 51 or the Prayer of Manasseh. Indeed, the Prayer of Manasseh is unique in its assertion that Abraham, Isaac, Jacob, and their offspring are righteous, in no need of repentance of sin, yet there is no mention of the covenant with the ancestors. In the Prayer of Manasseh, no such covenant memory is invoked. Indeed, the pseudepigraphal Manasseh makes no claims even to descent from the Israelite patriarchs! Both Ps 51 and the Prayer of Manasseh end on what might be considered an eschatological note. Psalm 51:20–21 expresses a wish that the walls of Jerusalem be rebuilt; Pr Man 14–15 anticipates receiving merciful acceptance from God and joining with the angels

19. Cf. the "uncircumcised heart" that must be "humbled" in Lev 26:41; Ezek 44:7, 9; and later in 4Q504 frg. 4 11. Jer 9:26 contrasts ironically the nations who are uncircumcised with the Israelites who are uncircumcised *in heart*.

in the singing of heavenly praise. The ending in either case marks a departure from the corporate penitential prayers.

The Form and Social Setting of the Prayer

The remaining task is perhaps the most challenging aspect of genre analysis, namely, attending to the larger social contextualization of the Prayer of Manasseh by specifying how its meaning is inextricably tied to its larger cultural and historical settings. Recent work on genre criticism provides new insights into conceptualizing genre. We turn first to discourse analysis and its implications for genre as expounded by Carol Newsom and then to Harry Nasuti's work with its historical perspective on genre in order to frame further discussion of the Prayer of Manasseh.

Prayer of Manasseh as Counterdiscourse

How are we to interpret the significance of the distinctive wording of the Prayer of Manasseh as reviewed above? The prayer employs familiar terminology: "Abraham, Isaac, and Jacob"; "the sand of the sea"; the contrition language of the "heart" but with a different twist, in that the patriarchs are wholly righteous who are not in need of the Lord who is God of "those who repent." The ancestors thus do not bear or pass on the burden of guilt. Manasseh seems only to have himself to blame. Is the prayer simply an evolved member of the penitential prayer family that has forgotten its way, or is the prayer to be understood as a kind of counterdiscourse that is meant to depart from the norm in order to forge a different theological conception of penitence and community? Manasseh, the arch-villain of Israel, has become a positive example to the fallen rather than the more usual exemplary subject, King David.

Carol Newsom's recent book on identity and community at Qumran offers some insights into how the question about the distinctive language of the Prayer of Manasseh might be addressed.[20] She draws on various theories of discourse and practice in rhetoric, philosophy, and anthropology to examine the construction of the self in the *Serekh ha-Yaḥad* and the *Hodayot*. A thorough retrieval of her lengthy and nuanced arguments and discussion of their implications for the Prayer of Manasseh lie beyond the scope of this essay, but it may be helpful to sketch two aspects of her work and their relevance in assessing the Prayer of Manasseh. The first is the role of discourse in shaping communities and individuals; the second is the fluid notion of genre as a participatory venture rather than a strict classification scheme.

20. Carol A. Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran* (STDJ 52; Leiden: Brill, 2004).

Recent scholarship on the corporate penitential prayers has focused on traditio-historical work largely with the aim of discerning adoption and adaptation of earlier scripture diachronically to determine the identity of the group responsible for the prayers. Newsom uses the category of discourse analysis to assess the way in which discourse is used in texts and communities in a synchronic way.[21] Recognizing different modes of discourse (sapiential, priestly, Deuteronomistic) is an essential task for her, but not determinative of the social location of the community that uses it. Thus, Newsom suggests that a more useful way of thinking about texts is not to identify the parties who produced the texts: "Such questions as whether Qumran was an apocalyptic community or a priestly community or a sapiential community might be more fruitfully addressed by examining how the various discourses are dialogically related in Qumran literature."[22] Well into the Second Temple period at the time when the Qumran community was constituted, there was a complex repertoire of identifying "signs," some determined by language, some by practices, that shaped communities and individuals. Newsom reflects on the potential role of language in community construction and differentiation:

> Oftentimes the evocation of a particular latent community is a temporary matter, a response to specific and limited circumstances. It may also happen, especially in times of social instability, that slogans and the discourses that they imply can play a significant role in the creation and consolidation of new social formations. The Maccabean slogan "zeal for the torah," is an obvious example. Its competition and eventual collision with other alternative slogans and designations, such as "the pious ones" or "the repentant of Israel" is a measure of the intense rhetorical attempt to create new communities of discourse that could provide the basis for new social formations.… In second century Judaism terms such as "torah," "Israel," "covenant," "righteousness," "what is good in his eyes," and many others were precisely the sort of terms that became ideological signs. But as each group used those terms they did so with a different "accentuation." "Torah" has a different flavor in the Maccabean slogan than it does when the Qumran community speaks of "those who do torah" (*1QpHab* 7:11; 8:1).[23]

Newsom's "accentuation" is thus more attuned to differences in usage of phraseology than to similarities, more focused on divergences from a dominant discourse that result in or reflect communities who dispute the claims of the dominant majority. The Qumran community was clearly such a beleaguered minority group that adapted traditional discourse and practices in order to reinforce its

21. In her theoretical discussion, discourse is a term comprehensive of practices as well as verbal formulations, although her analysis of the *Hodayot* focuses on their wording and structure, elements of the traditional *Gattung*.

22. Newsom, *Self as Symbolic Space*, 9.

23. Ibid., 10–11.

ideology among its members, the "covenant-renewal ceremony" for admittance being one such obvious adaptation.

To come full circle back to the relevance of this work for the Prayer of Manasseh, it would be fitting to ask: Does the Prayer of Manasseh represent a counterdiscourse to a dominant discourse of penitence and confession? Do the differences in wording and ideas, while using a familiar rhetorical structure, yet represent a contested departure from ideas about transgenerational punishment and culpability and the active role that the sinner should play in initiating his own repentance? Does the "community" responsible for the Prayer of Manasseh belong to the "God of those who repent" (Pr Man 13) rather than the community that "confesses their sin and the sin of their ancestors"? In order to test the idea of dominant and counterdiscourses, a more wide-ranging and thorough comparison of the Prayer of Manasseh with a range of competing discourses, including not only penitential prayers but other texts as well, is required. Such analysis must await another study.

Manasseh the Penitent "I"

Harry Nasuti's book on genre and the penitential psalms argues that conceptions of genre shift over time and are relative to the cultural and theological context of the human crafters of genre categories. Nasuti provides a check on the absolutizing of our contemporary genre classification.[24] Establishing genres requires both description and construction. Description involves the necessary first-order evaluation of language. Genre construction is a two-part interpretive act. Genres are not essentially inherent in the compositions themselves but are created by readers or sorters who identify certain aspects of texts to be compared to similar aspects of other texts. So, for example, one might choose the pseudepigraphic aspects as an essential part of the genre, or one might ignore that feature as part of its particularity. In other words, decisions made about which elements to compare require a priori decisions. The second means of constructing genre involves an interpretation of the life setting that determines what historical concerns are brought to bear.[25] Using the traditional classification of the seven penitential psalms as a test case, he compares the genre classification of classic form critics, only to find that just one of the psalms, Ps 51 (and perhaps Ps 38), is considered penitential by modern standards. The traditional grouping of the seven penitential psalms appears to have been triggered by Augustine's reading of Romans. Paul refers to seven psalms during his discussion of the relationship of human sinfulness and

24. Harry Nasuti, *Defining the Sacred Songs*: *Genre, Tradition and the Post-critical Interpretation of the Psalms* (JSOTSup 218; Sheffield: Sheffield Academic Press, 1999). See also the fine review of Nasuti's book by Mark Boda in the *Journal of Hebrew Scriptures* 3 (2000–2001).

25. Nasuti, *Defining the Sacred Songs*, 213.

divine anger, all of which make reference to divine anger, although they do not all contain confessions or expressions of penitence as contemporary form critics have conceived of those elements.[26] While affirming the value of genre construction as a discipline indispensable for biblical scholarship, Nasuti views evaluating the use of the psalms in religious communities through time as a control reining in what could be overly imaginative constructions of genre.[27] As we will illustrate, identifying the pseudepigraphic character of both Ps 51 and the Prayer of Manasseh as one determinant of genre can shift our understanding of both how the prayer was used ritually in the past and how it might be used in the present in communities that use them in worship.

One element of the genre of the Prayer of Manasseh not yet discussed is its superscription indicating that, like Ps 51, the prayer is a pseudepigraphon written in the first-person singular. The feature of pseudepigraphy is essential for understanding the function of the Prayer of Manasseh. According to its superscription, Ps 51 is the confession of King David. The Prayer of Manasseh was offered by the wicked king of Judah, Manasseh. The attribution of the composition to Manasseh sets the prayer in context: the life of a monarch with a particularly bad reputation in Israelite history. Yet the context in which the prayer is embedded actually involves multiple contexts: there is the description of Manasseh in 2 Chr 33, which is understood to be the narrative that generated the prayer. According to 2 Chr 33:10–17, Manasseh was a grievous idolater punished by God in being taken captive by the Assyrians. There he humbled himself, repented of his sins, and prayed, and God ultimately restored Manasseh to his land. But there is also the contrasting story of Manasseh in 2 Kgs 21:1–18, in which he is cast as the worst sinner against the law and is the cause of the fall of Judah. The targums and other Second Temple literature embodying Jewish tradition provide other contexts for this king in the Second Temple period.[28] In any case, Manasseh is cast as the "I" of this prayer in the larger story of Israel during the first-century B.C.E. or C.E., when the prayer was likely composed.

We must thus draw a distinction between classical form criticism of the psalms (in understanding the Prayer of Manasseh as essentially a psalm-like

26. Ibid., 30–42.

27. See in particular his concluding chapter (ibid., 209–20).

28. Extrabiblical lore about Manasseh continued to evolve, as evidenced by a quite different pseudepigraphical prayer found in the noncanonical psalms collection 4Q381; see Eileen M. Schuller, *Non-canonical Prayers from Qumran: A Pseudepigraphic Collection* (HSS 28; Atlanta: Scholars Press, 1986), 146–62; more recently, idem, "4Q380 and 4Q381: Non-canonical Psalms from Qumran," in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; STDJ 10; Leiden: Brill, 1992), 94–95. William Schniedewind argues unconvincingly for the prayer's preexilic provenance based on its lack of biblical allusion and a putative archaizing *yaqtul* form, but he succeeds in ruling out its close connection to 2 Chr 33; see his "A Qumran Fragment of the Ancient 'Prayer of Manasseh?' " *ZAW* 108 (1996): 105–7.

composition) and new perspectives on genre. The aim of form critics has been to identify one particular setting in ancient Israel in which an oral *Gattung* originated. Gunkel viewed the three aspects of linguistic form (structure), content (ideas), and life situation (*Sitz im Leben*) to have a tight linkage in oral life.[29] More recent form-critical work has also recognized the need to evaluate both literary and historical settings in order to assess the social setting of a text. Claus Westermann and Walter Brueggemann, by contrast, have emphasized the theology of the psalms in constructing their genre classifications, thereby neglecting the social and historical contexts in which the prayers locate themselves in antiquity or in the history of their use by faith communities.[30] The recent work on corporate penitential prayer has delved deep into tradition history in order to determine both how genres have evolved and how the scriptural traditions of Israel have been transformed in new compositions.

Yet in regard to the psalms and, we might add, prayers embedded in narrative contexts as well, no scholar has assessed the significance of the superscriptions for genre analysis.[31] Establishing the setting of the psalms has been restricted to its presumed original setting in ancient Israel. So, for example, Ps 51:9's mention of the use of hyssop in cleansing is described by Gerstenberger as proving the cultic setting of the psalm.[32] The putative original social setting of the psalm is understood as part of temple worship, this, curiously, in spite of the fact that the wording would point to an exilic dating. But clearly the superscriptions were in place by the middle of the Second Temple period. The Davidic authorship of Ps 51 was an essential part of its genre in the Second Temple period, evidenced by the Qumran Psalms scroll, in which Ps 51 contains the same superscription as the MT. Certainly by the time the Prayer of Manasseh was composed, the Psalms, and Ps 51 in particular, would have been understood as a Davidic composition. If indeed, the Prayer of Manasseh was patterned in some measure after Ps 51, then

29. Martin J. Buss offers a helpful sketch of Gunkel's aims, shedding light on Gunkel's classification scheme as marked by Aristotelian essentialism, implicitly guided by the belief in "pure" forms; see in particular *Biblical Form Criticism in Its Context* (JSOT 274; Sheffield: Sheffield Academic Press, 1999), 187–208.

30. See Samuel Balentine's review of the form-critical work of Westermann and Brueggemann as motivated by contemporary assessment of the costly loss of lament: "I Was Ready to Be Sought by Those Who Did Not Ask," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), 1–20.

31. One notable exception is Brevard Childs ("Psalm Titles and Midrashic Exegesis," *JSS* 16 [1971]: 137–50), although his analysis locates the *Sitz im Leben* of his presumed late Second Temple authors of the superscriptions ("a pietistic circle of Jews whose interest was particularly focused on the nurture of the spiritual life" [149]) rather than to consider the significance of the superscriptions for the use of the psalms in the worship life of the Jewish community.

32. Erhard Gerstenberger, *Psalms: Part 1, with an Introduction to Cultic Poetry* (FOTL 14; Grand Rapids: Eerdmans, 1988), 214.

the pseudepigraphic element played a crucial element not only in its composition but in its performance within communities. What are the implications of considering the ascription to Manasseh as an essential part of its genre? It provides an "ideal author," to use Nasuti's terminology. Here we come to a challenging aspect of genre construction that requires consideration of two aspects of the genre: the function of the "I" voice in the prayer; and its relation to the contexts in which the Prayer of Manasseh is found.

This identification of the pseudepigraphic "I" requires differentiation from the historical-critical debate waged over the last hundred years or so concerning the identity of the "I" in the psalms, although there are also commonalities. The pseudepigraphic "I" is an "I, King David" as opposed to the reconstructed historical "I, the psalmist(s) praying in the temple," according to classical form criticism. To sketch the contours briefly: the identity of the "I" in the psalms was expounded first in the modern period by Rudolf Smend, who argued for its corporate valuation. Smend's foundational position was that the "I" of the individual psalms was always a personification of the congregation (the "collective I").[33] Emil Balla, also followed by Hermann Gunkel, argued the position that the "I" was just that, an individual member of the congregation making lament, giving thanksgiving, or offering praise, while allowing for a collective interpretation in some of the psalms, such as those alternating between "I" and "we."[34] The concern of such scholars was invariably in fixing the psalms in one historical setting. So more recently, in describing the general setting of individual complaints, which includes Ps 51, Gerstenberger has posited generally that the prayers of individual lament (which includes Ps 51) "belonged to the realm of special offices for suffering people who, probably assisted by their kinsfolk, participated in a service of supplication and curing under the guidance of a ritual expert."[35]

Yet it is worth retrieving the earlier perspective of Sigmund Mowinckel, who countered the arguments of Balla and Gunkel, accepting a variation of Smend's theory in understanding a collective "I" in the royal psalms and in the national psalms of lament.[36] The shift from an individual to a corporate understanding of the "I" is evident in certain psalms, such as Ps 129:1, in which the "I" of the psalmist is explicitly identified as the corporate body, Israel. The relevance of Mowinckel's discussion for the Prayer of Manasseh, as well as Ps 51, with its early Davidic attribution, is readily apparent. While Mowinckel overstated the role of the kind in a conjectured enthronement festival, his basic insight about

33. Rudolf Smend, "Über das Ich der Psalmen," *ZAW* 8 (1888): 5–82.

34. Emil Balla, *Das Ich der Psalmen* (FRLANT 16; Göttingen: Vandenhoeck & Ruprecht, 1912).

35. Gerstenberger, *Psalms*, 14.

36. See the discussion in Sigmund Mowinckel, *The Psalms in Israel's Worship* (trans. D. R. Ap-Thomas; 2 vols.; New York: Abingdon, 1962), 1:42–80, 225–46.

the intimate relationship between the individual and the corporate body is convincing. It remains quite distinct from modern Western conceptions of the individual. The king or another leader may be understood to speak for the nation or congregation and even to symbolize that corporate body. For Mowinckel, the "corporate personality" is a representative person in the temple cult speaking on behalf of the congregation, and the representative was the king himself. Thus the distinction between prayers of the individual and corporate prayers may be overdrawn or at least require more nuanced reflection in terms of their relative role in ritual life, while bearing in mind the historical and cultural differences between ancient and modern times. Even in contemporary worship, individuals may adopt first-person plural language and congregations may adopt the first-person singular voice. In short, there is much more to be said beyond the boundaries of this brief essay about the ways in which the "I" functions symbolically in prayer discourse in relation to the community.[37]

To return to the Prayer of Manasseh, the significance of the king as "I" in the prayer may be amplified if, as some have proposed, the role of Manasseh in the book of Chronicles symbolizes the people's own exile and return. Manasseh's rehabilitation in Chronicles is a major departure from his portrayal by the Deuteronomistic Historians, where his stigma as "King Idolater" permeates the entire work.[38] His prayer and repentance must also be seen in light of the typological use of historical figures by the Chronicler to mirror the fate of the people in their exile to Babylon and their ultimate return and restoration.[39] As Williamson states: "The experience of Manasseh is thus to be read as a paradigm of the people's experience, a reflection of their own Babylonian exile, which will aid them in the interpretation of their current situation and encourage them in the way forward towards a regaining of the blessings they have lost."[40] The penitential "I" of the Prayer of Manasseh may thus be seen as siding with the Chronicler's counterdis-

37. Carol A. Newsom offers a compelling treatment of the role of the "I" in the *Hodayot* in relation to the Righteous Teacher of the *Yahad* and the members of the community; see *The Self as Symbolic Space*, 196–208.

38. Like the Deuteronomistic History, rabbinic interpretation held a consistently negative view of Manasseh. In the rabbinic debate over the ultimate fate of Manasseh, the majority held that his repentance in Chronicles was insufficient and that he had no place in the world to come (Reimund Leicht, "A Newly Discovered Hebrew Version of the Apocryphal 'Prayer of Manasseh,'" *JSQ* 3 [1996]: 367).

39. In William Schneidewind's words, "When the Chr's narrative is viewed typologically, the longstanding difficulty of why an Assyrian king takes Manasseh in chains to Babylon (and not Nineveh) is removed" ("The Source Citations of Manasseh," *VT* 41 [1991]: 452). On the typological use of Manasseh's "Babylonian exile," see also Rudolf Mosis, *Untersuchungen zur Theologie des chronistischen Geschichteswerkes* (Freiburg: Herder 1973), 192–94; Hugh G. M. Williamson, *1 and 2 Chronicles* (NCBC; Grand Rapids: Eerdmans, 1982), 388–89.

40. Williamson, *1 and 2 Chronicles*, 389.

course over that of the Deuteronomistic Historians, whose voice may be seen as representing the dominant discourse in the postexilic period.[41]

Prayer of Manasseh as Song or Instruction

In evaluating the function of the Qumran *Hodayot*, Newsom can relate the hymns to a fairly defined community about which a certain degree of scholarly agreement has emerged.[42] The hymns themselves are independent compositions not embedded in a longer narrative text. By contrast, the Prayer of Manasseh as it has come down to us remains something of an orphan, albeit adopted in multiple texts.[43] Although predominately regarded as a Jewish prayer, as with so many of the Greek pseudepigraphal works, the Prayer of Manasseh was transmitted in Christian contexts. It appears in several Greek manuscripts as one in a collection of fourteen odes appended to the Psalms.[44] The earliest extant text is a translation from the Greek embedded within the early third-century Syriac catechetical document, *Didascalia Apostolorum*. In any case, the two settings of the Prayer of Manasseh lend an added layer of complexity in assessing its ritual setting.

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41. Another example of such a subversion of dominant discourse lies in the Wisdom of Solomon, which also contains an embedded prayer. I have elsewhere made the argument that the prayer in Wis 9 adopts the voice of the pseudonymous author King Solomon, who, in praying for his own wisdom, in fact prays the prayer of every person that subverts his own status as human king. In Wis 9, the individual "I" is thus simultaneously a corporate or representative "I." See Judith H. Newman, "The Democratization of Kingship in Wisdom of Solomon," in *The Idea of Biblical Interpretation*: *Essays in Honor of James L. Kugel* (ed. Hindy Najman and Judith H. Newman; JSJSup 83; Leiden: Brill, 2004), 309–28.

42. See the critical evaluation of Eileen M. Schuller, "Hodayot," in *Qumran Cave 4.XX: Poetical and Liturgical Texts, Part 2* (ed. Esther Chazon et al.; DJD XXIX; Oxford: Clarendon, 1999), 69–232. Schuller has also rightly pointed to the difficulty with using the loose expression "*Hodayot*-like" without due attention to formal elements ("The Classification *Hodayot* and *Hodayot*-Like [With Particular Attention to 4Q433, 4Q433A and 4Q440]," in *Sapiential, Liturgical and Poetical Texts from Qumran* (ed. Daniel K. Falk, Florentino García Martínez, Eileen Schuller; STDJ 35; Leiden: Brill, 2000), 182–93.

43. The recently published Hebrew text of the Prayer of Manasseh found in the Cairo Genizah appears to be a translation from Christian sources that raises intriguing questions about the transmission of the text and Christian-Jewish contacts at the time when it was appropriated, but that cannot be our focus here; see Leicht, "A Newly Discovered Hebrew Version," 359–73. Leicht presents the Hebrew and his translation but does not try to date the translation more nearly than the seventh–tenth centuries.

44. The Prayer of Manasseh stands in different positions in printed Bibles. In editions of the Vulgate printed before the Council of Trent, the Prayer stands after 2 Chronicles in official printings of the Vulgate. After the Council, it appears in an appendix after the New Testament. It is perhaps ironic, given its apocryphal status, that Luther included it in his Bible; see Bruce M. Metzger, *Introduction to the Apocrypha* (New York: Oxford University Press, 1957), 123–28.

Let us consider in turn some of the possible implications of each of the two contexts. The first is as one of the odes' variable assortment of hymns and prayers added as an appendix to Greek manuscripts of the book of Psalms. There are three Greek manuscripts of the odes, the oldest being the Codex Alexandrinus, dating to the fifth century.[45] The odes, or canticles, as they are known in Western traditions, have been used in Christian liturgical worship from antiquity, although the exact origins of the practice are unknown. That the practice originates from Judaism seems likely, because the prayers, psalms, and hymns appearing in the various collections draw heavily on the Hebrew Bible and Jewish apocryphal works.[46]

The inclusion of the Prayer of Manasseh with the odes suggests a collective liturgical use, but its existence prior to inclusion is unknown. Did the prayer circulate independently before being included in a collection of odes? Were the odes used in a setting of corporate worship to recall and punctuate the great moments in Israel's salvation history with songs and prayers? If so, the penitence and ultimate salvation of wicked Manasseh must have ranked high indeed in some quarters. As for the worship setting, an analogy to Philo's oft-mentioned description of the songs of praise of the Therapeutae in *De vita contemplativa* offers an interesting possibility, but there is simply no room at this juncture to make anything more than conjectural claims about the earliest use of the Prayer of Manasseh as one of the odes.

The appearance of the prayer in the *Didascalia Apostolorum* offers another way of conceiving its genre by understanding its social setting and use at a later date. Embarking on an extensive analysis of the *Didascalia* in its sociohistorical setting would be to trespass onto the agenda for year three of this consultation, but we can sketch some of the most salient aspects of the *Didascalia* so as to begin to understand the role of the prayer. The *Didascalia,* twenty-seven chapters in length addressed to the entire Christian community, including lay men and women, treats such topics as a bishop's duties, penance, liturgical worship, widows and deaconesses, the resolution of disputes, and the administration of offerings.

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45. The lists of odes vary, with over twenty compositions in different combinations. The fourteen odes in Codex Alexandrinus appear in the following order: Exod 15:1–19; Deut 32:1–43; 1 Sam 2:1–10; Isa 26:9–20; Jonah 2:3–10; Hab 3:2–19; Isa 38:10–20; Prayer of Manasseh; LXX Dan 3:26–45; 3:52–88; Luke 1:46–55; 2:29–32; 1:68–79; the Gloria. See the discussion in James L. Kugel, "Is There But One Song?" *Bib* 63 (1982): 329–50, esp. 335–38. Kugel notes the similarity of patristic lists of canticles with lists found in rabbinic sources, which points to Christian borrowing. It is striking, for instance, that Origen's list contains only seven canticles, all of which are found in the Hebrew Bible.

46. The theory that that the prayer was the work of the author of the Apostolic Constitutions espoused by Jacques Paul Migne (*Dictionnaire des apocryphes* [Paris: Migne, 1856–58], 1:850) and François Nau ("Un extrait de la Didascalie: La Prière de Manasée (avec une édition de la version syriac)," *ROC* 13 [1908]: 134–44) has been discarded. J. A. Fabricius was the first to make the argument (*Libri veteris testamenti apocryphi* [Leipzig, 1694], 208).

Written in the context of the early third century in north Syria, a region in which Jews and Christians struggled and competed with each other, the *Didascalia* is especially directed against those Christians who still observed Jewish law.[47]

The Prayer of Manasseh is included in the seventh chapter, the second of three chapters addressed directly to bishops. The chapter, which contains copious references to scripture, especially Ezekiel, addresses how to treat sinning members of their wayward flock. The context of the Prayer of Manasseh in the seventh chapter of the *Didascalia* reveals essential information about the way in which pre-Constantinian Eastern Christianity conceived the economy of human sin and divine forgiveness. The bishop's duty is to inculcate that knowledge and to enable the penitential process. The immediate context of the story of Manasseh exhorts the bishop to learn from ancient days, "that from them you may make comparison and learn the cure of souls, and the admonition and reproof and intercession of those who repent and have need of intercession."[48]

The tale of Manasseh is introduced as if taken directly from scripture: "Hear therefore, O bishops, regarding these things as an example that is fitting and helpful. It is written in the fourth Book of Kingdoms and likewise in the second Book of Chronicles, thus: …" Yet the tale does not accord with any single tradition but rather represents a paraphrastic account that draws on traditions found in the targums and shared by Samaritan and Greek sources.[49] Within this account of Manasseh's malefactions, the Prayer of Manasseh is an obvious insertion. Following the line, "And he prayed before the Lord God and said …" comes the seemingly clumsy insertion of the superscription "The prayer of Manasseh" before the body of the text. According to the *Didascalia*, Manasseh is duly heard and absolved by God. Manasseh's rescue and return to the land is decidedly more dramatic than in Chronicles, with flames of fire perhaps reminiscent of Daniel's three youths dissolving the brass case and chains in which he was secured.

In brief, the instruction genre determines the way in which the Prayer of Manasseh functions in that context. The *Didascalia* offers Manasseh to the bishops as an example of the efficacy of repentance as part of a penitential process, even to those convicted of the worst sin, idolatry. As part of a tale of "olden days,"

47. This is reflected in the *Didascalia*'s admonitions to believers not to follow the "second law." The *Didascalia* contains a conception of two givings of the law: the first was the Decalogue; the second contained the cultic and ritual legislation that was given as punishment after the incident with the golden calf. For a discussion of the "second law," see Pieter van der Horst, "I Gave Them Laws That Were Not Good: Ezekiel 20:25 in Ancient Judaism and Early Christianity," in idem, *Hellenism, Judaism, Christianity: Essays on their Interaction* (Kampen: Kok Pharos, 1994), 122–45, esp. 138–40.

48. Translation of Arthur Vööbus, *The Didascalia Apostolorum in Syriac* (CSCO 401–2, 407–8; Scriptores Syri 175–76, 179–80; 4 vols.; Leuven: Corpus Scriptorum Christianorum Orientalium, 1979), 1:80.

49. Ibid., 50–51.

the Prayer of Manasseh is not overtly liturgical, although the puzzling inclusion of the superscription hints at a secret life outside the teaching document. Because the *Didascalia* is addressed to the entire Christian community, its exhortatory role would extend not just to the leaders, but in a world no longer inhabited by Israelite kings, the penitent "I" Manasseh becomes an every(wo)man. The *Didascalia* relies heavily on the positive portrait of Manasseh in Chronicles' counterdiscourse as fully redeemed sinner, rather than on the Deuteronomistic view of Manasseh that may have been dominant in other circles.

Conclusion

Let me summarize my observations about the genre of the Prayer of Manasseh and its relationship to penitential prayer, both individual and corporate. The Prayer of Manasseh shares certain structural elements of Ps 51 as I have identified them: a pseudepigraphic kingly authorship; acknowledgement of sin; confession; plea for forgiveness and mercy; and a pledge to praise God upon salvation. In many other respects these two prayers diverge. While both prayers make reference to God's mercy and compassion with allusions to Exod 34:6, only Ps 51:4 contains an acknowledgement of divine righteousness. Psalm 51:7 may implicitly include some recognition of transgenerational punishment ("born guilty"), but the Prayer of Manasseh makes no reference to transgenerational punishment. The degree to which the Prayer of Manasseh reflects a counterdiscourse at odds with other forms of penitential prayer is unclear, although certain features of the prayer may point in that direction. While Ps 51 clearly draws on Ezekielian and Priestly discourse, the wording of the Prayer of Manasseh does not reflect a dominant tradition stream. The pseudepigraphic Prayer of Manasseh depicts the rehabilitation of an Israelite villain through praying, and its claim that the Jewish God is a "God of those who repent," as distinct from a God of the righteous, is another unique feature. Its seemingly curious exclusion of Manasseh as implicitly not belonging to the "righteous descendants" of Abraham, Isaac, and Jacob may point to a minority community responsible for its composition.

Prayer of Manasseh is thus something of an orphan. The prayer does not have marked structural or lexical affinities with the early postexilic corporate prayers of penitence, although it remains within the parameters established by Rodney Werline's definition of penitential prayer as "a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance." The confessional prayers and practices of Qumran analyzed by Daniel Falk and Esther Chazon point to their cyclical inclusion on a yearly or daily basis. By contrast, there are no obvious clues to the Prayer of Manasseh's liturgical use, whether public or private, other than those that can be inferred from its ultimate incorporation into an appendix to the Psalter that may well have been used in liturgical worship and its instructional use as an exemplum in the *Didascalia*. Since there is no indication that

the Prayer of Manasseh was offered at a set time, it cannot contribute to a thesis of "institutionalization." Establishing a more definitive framework for the ritual setting of penitential prayer, both corporate and individual, in Palestinian and Diaspora Judaism in the late Second Temple period and beyond is thus work that lies ahead.

Scriptural Inspiration for Penitential Prayer in the Dead Sea Scrolls

Daniel K. Falk

Introduction

The purpose of this essay is to evaluate the influence of scriptural motifs on the development of institutionalized penitential prayer in the Dead Sea Scrolls. I am not interested here in the development of the tradition culminating in the scriptural penitential prayers; Mark Boda has provided an excellent survey of both the primary data and the recent scholarship on the subject in his chapter in the first volume of this penitential prayer series.[1]

As source material for the study of Jewish prayer, the Dead Sea Scrolls differ from earlier sources in two important regards. First, the Dead Sea Scrolls provide the earliest attested certain examples of *liturgical* texts of penitential prayers in concrete liturgical settings, including daily prayers, festivals, an annual covenant ceremony, and purification rituals. By contrast, all the other evidence in the Second Temple period and earlier must be derived from *literary* texts, and concrete settings must be hypothesized.[2] Moreover, the Dead Sea Scrolls provide the earliest evidence for a practice of *daily* communal penitential prayer. This is a very significant development toward what will become standard in Jewish liturgy, and without any precedent or anticipation in scriptural tradition. That development still requires adequate explanation.

1. Mark J. Boda, "Confession as Theological Expression: Ideological Origins of Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), 21–50.

2. It is perhaps oversimplifying the situation to refer to scriptural texts as literary rather than liturgical. But the point is that, even if it be granted that the examples of penitential prayers in Neh 9 and so forth attest actual repeated liturgical practices, there is much less certainty how closely either the text of the prayer or the narrative description of the setting would correspond to actual practice.

Second, the Dead Sea Scrolls assume a relatively well-established body of scriptural writings, so that it is mostly irrelevant to differentiate sources of tradition: there is no Deuteronomic or Priestly tradition for the authors of the scrolls.[3] The ubiquitous anthological approach to scriptural material so well illustrated by Judith Newman and others shows a free intertextuality at work.[4] Moreover, the scriptural models of penitential prayer are now part of that literary tradition of Scripture.[5] Thus, use of this literary tradition of penitential prayer models is of little relevance for the current presentation; a relatively undifferentiated mosaic of scripture is already established. More important is to try to discern whether there is *special interest* in certain material—without assigning any particular significance to its source—and whether it evidences fresh and distinctive interpretation/application.

This essay will consist of two parts. The first part is a summary of scriptural resources for penitential prayer, giving special attention to the role of confession in cultic reparation. This will draw on Jacob Milgrom's exposition of the אשם (restitution) offering[6] and concerns material associated with the Priestly tradition. The reason for focusing on this material is that it has received relatively less attention in attempts to explain the origins of penitential prayer than the "return and seek" tradition associated with Deuteronomic sources. The influence of the latter has been investigated much more thoroughly, especially in the valuable monograph by Rodney Werline.[7] It is important to reiterate that, with regard to the late Second Temple period, these materials would not be perceived as distinct strands of tradition (Priestly versus Deuteronomic) separate from or in contrast to each other; in focusing on Priestly material, I am merely trying to assess its potential influence alongside other penitential motifs. As argued below, this material provides a theoretical framework for confession in the context of the sacrificial cult that is an important part of the tapestry in considering the origins of penitential prayer. The approach is admittedly speculative, in an effort to open space, as it

3. On the nature and status of authoritative scriptures in the Second Temple period, see James C. VanderKam, "Authoritative Literature in the Dead Sea Scrolls," *DSD* 5 (1998): 382–402; idem, "Revealed Literature in the Second Temple Period," in idem, *From Revelation to Canon: Studies in the Hebrew Bible and Second Temple Literature* (JSJSup 62; Leiden: Brill, 2000), 1–30.

4. Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999).

5. Albeit, the nature of Ezra, Nehemiah, and Daniel at Qumran is among the poorest known.

6. This first part is from the paper "Motivation for Communal Prayer in the Dead Sea Scrolls and Early Judaism," which I delivered at the Fifth International Symposium of the Orion Center for the Study of the Dead Sea Scrolls and Associated Literature in Jerusalem, 19–23 January 2000. Mark Boda provides a very clear presentation of much of the same information in "Confession as Theological Expression," 24–25, 28–34.

7. Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998).

were, for other ways of reading the evidence and for hearing motifs that otherwise might be missed or underemphasized. The second part turns to the task of examining the influence of these scriptural motifs in the Dead Sea Scrolls.

Scriptural Resources for Penitential Prayer

Although there are no regulations for prayer in the Hebrew Bible, rabbis sought to derive a scriptural basis for prayer at fixed times, a development that is assumed in the earliest rabbinic literature. The most prominent justification given was prayer as a replacement for sacrifice. For example, with reference to Hos 14:3 (Eng. 14:2: "Take with you words and return to the Lord; say to him, 'Remove all guilt; accept that which is good, and we will compensate [for] bullocks [with] our lips'"):[8]

> R. Abahu said, How are we to compensate Thee for the bullocks we used to offer to Thee? Our lips will pay by means of the prayer we offer to Thee.
> R. Isaac said: Prayer is the means of expiation: in return for prayer Thou grantest expiation for our [sinful] lives.[9]

Similarly, rabbis found in Deut 11:13 ("to serve" [עבד] God with all one's heart) reference to prayer as service (עבדה) of the heart, comparable to sacrifice as service of the altar (Sifre Deut. §41; *b. Ta'an.* 2a). Thrice-daily prayer was attributed to Moses[10] or to the patriarchs (*b. Ber.* 26b).

Such statements are of interest for exploring the rabbinic understanding of the significance of prayer, but they are of limited historical value for the origins of regularized prayer. For this, the Dead Sea Scrolls are probably our most valuable source, because they provide the first clear examples of regulated prayer. Not surprisingly, scholars have tended to focus on the idea of prayer as replacement for sacrifice as the key motivation for regulated prayer in the Qumran scrolls.

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8. This passage is difficult. The MT reads ונשלמה פרים שפתינו. Scholars commonly propose to read the second word פרי "fruit" following the LXX, rather than the plural absolute of פר "bullock" (e.g., NRSV). The single Qumran manuscript containing this passage (4QXII^{c}; DJD XV) agrees with MT.

9. *Pesiq. Rab Kah.* 24.19, cited from William G. Braude and Israel J. Kapstein, *Pĕsiḳta Dĕ-Raḇ Kahăna: R. Kahana's Compilation of Discourses for Sabbaths and Festal Days* (2nd ed.; JPS Classic Reissues; Philadelphia: Jewish Publication Society, 2002), 515.

10. "Now what does the instruction mean by 'Let us bow down and worship (Deut 26:16)?' Moses simply foresaw that the Temple was going to be destroyed and that the first fruits were going to cease. He arose and arranged for Israel to pray three times on every day, because prayer is more pleasing to the Holy One than a hundred good works" (*Tanḥ.* Deut 26:16 [Ki-Tavo] §7.1, cited from John T. Townsend, *Numbers and Deuteronomy* [vol. 3 of *Midrash Tanḥuma*: *Translated into English with Introduction, Indices, and Brief Notes (S. Buber Recension)*; Hoboken, N.J.: Ktav, 2003], 351).

Perhaps the rabbinic discussion has exerted undue influence on the historical interpretation of these texts.

This is not to ignore the many pieces of evidence in the scrolls that suggest a correlation between prayer and sacrifice, which is essentially of three kinds. (1) There are sharp criticisms of the temple cult (e.g., CD 6:11b–14a) and expressions of the community as fulfilling the role of atonement and cultic worship in its prayers and deeds (e.g., 4Q174 Flor frg. 1–2 i 6–7). (2) Numerous passages speak of prayer as a sacrifice or prayer instead of sacrifice (e.g., CD 11:20–21; 1QS 9:4–5, 26; 10:6; 1QH^a 9:28). (3) The fixed times for prayer—daily, Sabbath, and on festivals—can be seen to correspond to times of sacrifice.[11] Daily prayer is prescribed for the interchange of day and night (see Exod 30:7–8; Num 28:3–8, in the morning and "between the evenings," a daily burnt offering ordained at Mount Sinai for a "pleasing odor" [ריח ניחח], an expression applied to prayer in the scrolls). The descriptor for a collection of Sabbath songs (*Songs of the Sabbath Sacrifice*) is based on the Sabbath offerings (עלת שבת בשבתו; see Num 28:10).

Nevertheless, to say that prayer is the replacement for sacrifice, while indicated in many Qumran texts, does not exhaust the complicated and nuanced place of prayer within the scrolls and for the community and does not necessarily explain the originating motivation. Logically, one is caught in a chicken or egg dilemma: Does the above evidence exist because Jews who could not or would not participate in the temple cult began to regulate prayers to fill this void or because prayer had come to be associated with or function in a similar sphere as sacrifice? This is a theoretical distinction that becomes important in pursuing historical reconstruction of the origins of liturgical prayer. For example, *Words of the Luminaries* is our earliest example of petitionary prayers composed for daily, liturgical recitation. Assuming that these were used in the *yaḥad*, it is plausible to suggest that these prayers may have served in the place of the *tamid* sacrifice to God, even though concrete evidence for this is completely lacking. But is this necessarily the motivation for composing the prayers in the first place? As Chazon has convincingly argued, it is likely that *Words of the Luminaries* predates the *yaḥad*, being composed probably no later than about the middle of the second century B.C.E.[12] In searching for the unknown composer(s) of these prayers, must we imagine a community without involvement in the temple cult? It is problematic simply to posit this.

11. See Bilhah Nitzan, *Qumran Prayer and Religious Poetry* (trans. Jonathan Chipman; STDJ 12; Leiden: Brill), 12–13.

12. Esther G. Chazon, "Is Divrei Ha-me'orot a Sectarian Prayer?" in *The Dead Sea Scrolls: Forty Years of Research* (ed. Devorah Dimant and Uriel Rappaport; STDJ 10; Leiden: Brill, 1992), 17.

Motivations for Regularized Prayer

The key innovation in the perspective of prayer that we are considering is the concept of prayer at fixed times ordained by God. Does this imply the theoretical conception of prayer as an alternative for sacrifice? First of all, we can note that in two texts probably of nonsectarian origin fixed times of prayer are linked with the offering of sacrifices. 4Q409 issues a call to praise and bless God (וברך הלל, frg. 1 i 1) in conjunction with what appear to be festival sacrifices (mention of whole offering, lambs, burning incense, altar; … עצים לעולה … וכבשים … [על מזב]ח … [בהקט]ר; frg. 1 i 4; frg. 1 ii 3, 5, 8). According to *David's Compositions*, songs are to be sung over the daily *tamid* sacrifice (עולת התמיד) and at Sabbath and festival offerings (קורבן). Nitzan correctly recognized that "this refers to songs which accompany the offering of sacrifices, rather than to prayer which corresponds to it," yet she focused on expounding the meaning of such prayer in a context without sacrifice.[13]

Second, if we consider the catalogues of times ordained for prayer in the sectarian texts (1QS 9:26–10:17; 1QM 14:12b–14a; 1QH^a 20:4–11), these are described as times ordained for praise, rather than praise being offered at times ordained for sacrifice, even if prayer is presented metaphorically as a sacrifice. This becomes clear in 1QS 9:26–10:17, which is punctuated with the metaphor of prayer as an offering (9:26; 10:6, 8, 14), yet the list is not limited to occasions where sacrifice might have been brought, for example, times of affliction (9:26; 10:15–17) and grace before meals (10:15). Therefore, even in sectarian texts, prayer at fixed times and use of the metaphor of prayer as offering does not necessarily indicate that prayer was thought of exclusively as an alternative for sacrifice.

Daily prayer in the Dead Sea Scrolls is most commonly associated with imagery of creation—the divinely ordained cycle of heavenly lights—and angelic worship (e.g., 4Q408; *Hymn to the Creator* 11QPs^a 26:11–12; 4Q503; 4Q504 frg. 1–2 vii 6). Nitzan has emphasized that prayer at fixed times thus expresses harmony with the created order and union with heavenly worship.[14] Can this conception itself be seen as originating from the need to develop a substitute for the sacrificial cult? It is possible, on the one hand, since according to some traditions (e.g., *Jub.* 3:27; 6:14; 49:19; cf. Num 28:3–8) the times for sacrifice were associated with sunrise and sunset. On the other hand, however, it is clear from *Jubilees* that the idea of praise of God at fixed times (in this case, Sabbath) in union with the angels must have developed in a setting alongside sacrificial worship. The motifs of joint angelic and human praise of God as creator, God's holiness, and God's kingdom are linked with Sabbath as an appointed time.

13. Nitzan, *Qumran Prayer and Religious Poetry*, 60.

14. Bilhah Nitzan, "Harmonic and Mystic Characteristics in Poetic and Liturgical Writings from Qumran," *JQR* 85 (1994): 163–83.

> He gave us the Sabbath day as a great sign so that we should perform work for six days and that we should keep Sabbath from all work on the seventh day. He told us—all the angels of the presence and all the angels of holiness (these two great kinds)—*to keep Sabbath with him in heaven and on earth*. … In this way he made a sign on it by which they, too, would *keep Sabbath with us* on the seventh day to eat, drink, and *bless the creator of all* as he had blessed them and sanctified them for himself as a noteworthy people out of all the nations; and to *keep Sabbath together with us*. He made his commands *rise as a fine fragrance* which is acceptable in his presence for all times. (*Jub*. 2:17–22)[15]

> On the Sabbath day do not do any work … so that you may eat, drink, rest, keep Sabbath on this day from all work, and *bless the Lord* your God who has given you a festal day and a holy day. This day among their days is to be the *day of the holy kingdom* for all Israel throughout all time. (*Jub*. 50:9)

But in addition to praising God with the angels on Sabbath, the people are still to atone for sins by means of sacrifices in *Jubilees*:

> to rest on it from any work that belongs to the work of mankind except *to burn incense and to bring before the Lord offerings and sacrifices* for the days and the Sabbaths … in order that they may atone continuously for Israel with offerings from day to day as a memorial that is acceptable before the Lord. (*Jub*. 50:10–11)

Thus, although prayer might come to have significance as sacrifice in some settings and to be influenced by the idea of cultic worship at divinely ordained times, prayer as an alternative for sacrifice cannot be the sole motivation for people beginning to pray at fixed times. What other motifs and traditions played a role in the origin and early development of liturgical prayer?

In the remainder of the present work, I will focus on one important type of prayer found at Qumran: communal penitential prayers at fixed times. A priori it might seem likely that because penitential prayer has an atoning function, its extension to fixed periodic use must have arisen as a substitution for sacrifice. But as noted above, this can be no more than part of the puzzle, and I will explore the potential influence of other motifs, specifically confession in the context of sacrifice. I will focus here primarily on one possible source of evidence: the scriptural inspiration. First I will outline motifs in scriptural traditions that could contribute to a theoretical framework for an institution of penitential prayer that is not essentially in conflict with or in substitution for sacrifice. I will then explore the use of these motifs in the Dead Sea Scrolls. There is little question that the scriptural traditions we will consider are prominent in the background of penitential prayer in the Dead Sea Scrolls, whether directly or indirectly. The question is what

15. Quotations from James C. VanderKam, *The Book of Jubilees* (CSCO 511; Scriptores Aethiopici 88; Leuven: Peeters, 1989), 12–13, 326, emphasis added.

meaning these traditions carry in that context. It should be noted that this essay is not intended as a comprehensive study of motifs, and I do not attempt systematically to differentiate between various genres and social settings. Although ultimately such differentiation is critical, the goal of the present study is limited to getting some more pieces of the puzzle on the table, without attempting at this point to assign them to their proper place.

The Scriptural Framework for Communal Prayers of Confession

The first motif cluster can be traced through the Deuteronomic tradition and later texts influenced by it. Rodney Werline has described how the covenantal warnings of Deuteronomy provided the basis for the development of penitential prayer as a "religious institution."[16] According to Deut 4:29–30, after the curses of the covenant have come upon the people, they will: seek (בקש, דרש) the Lord with all their heart and all their soul, return (שוב) to the Lord, and obey (שמע) him. Deuteronomy 30:1–10 states this in casuistic form: if they return (שוב) and obey (שמע) with all their heart and with all their soul (30:2), then God will return to them, gather their dispersed from the ends of the earth (30:3–4), and circumcise their heart (30:6), so that they will love the Lord with all their heart and soul, and God will put the curses on their enemies (30:7). Then the people will turn, obey, and do all that God commanded (30:8), and God will prosper them. That is, in the sequence sin–exile–restoration, the key mechanism is described in Deuteronomy as turning (שוב) and seeking (בקש, דרש). Werline also points out that what it means to "seek" and "return" is not defined but that these are used as general metaphors for repentance.[17] The Deuteronomistic perspective represented by the prayer in 1 Kings 8 marks a key transition: it is repentance (שוב) and prayer (התפלל, התחנן) as the enactment of repentance (1 Kgs 8:35, 47, 48).[18] Thus, "seek" is apparently interpreted as supplication. Sacrifice plays no role in this restoration, which Werline concludes is because the context concerned is that of the exile.[19] Werline continues to trace the development of this tradition through the exilic and postexilic prophets and penitential prayers, including the interpretation of שוב and דרש as confession of sins and study (ch. 2), the appropriation into an eschatological context in sectarian groups (ch. 3), and modification to allow for the idea of the pious sufferer (ch. 4).

Werline's analysis of the "turn and seek" motif is excellent, so it will be sufficient for now merely to have summarized his treatment. Before we leave this motif, however, let us take note of some implications for our topic so far. The sin

16. Werline, *Penitential Prayer*, 62–64.
17. Ibid., 12–18.
18. Ibid., 18–27.
19. Ibid., 27–28.

of idolatry leading to exile is atoned for by repentance and prayer (or penitential prayer and study). Although this theoretical basis for penitential prayer develops during the exile, there is no evidence of established practices based on this until the reconstruction period. Werline does not state the implication, but this suggests that, although the loss of the temple provided the theory of penitential prayer as a remedy for exile, the development of practice toward a "religious institution" (to use his terminology) came when there *was* a functioning temple and in connection with the temple cult. We can state as a conjectural proposition that disillusionment with the return and the sense that exile continued led to a need for continual repentance. This is far from certain, given the incomplete nature of our evidence, but it is in line with the idea that the motivation for regular communal penitential prayer was not in the first instance as a replacement for sacrifice.

The second cluster of motifs—which I will refer to as the cultic confession motifs—is found in the Priestly (and Holiness) tradition and in materials influenced by these. In addition to his fine treatment of the influence of the Deuteronomic tradition, a valuable contribution of Werline's study is his adumbration of the importance of motifs from the Priestly tradition in two ways: (1) he demonstrates the combination of motifs from Lev 26 (especially confession) with the "turn and seek" motifs of Deut 4 and 30;[20] and (2) he points out the relevance of מעל sacrilege and the אשם offering as expounded by Jacob Milgrom.[21] Because of his focus on the predominant influence of language from the Deuteronomic tradition, he does not fully exploit the potential importance of language and ideas from the Priestly tradition for understanding the development of the penitential prayer tradition, resulting in a relative underemphasis on these motifs.[22] As Mark Boda has emphasized, these motifs continued to exert a prominent influence.[23] They are of particular importance for the present study because they provide a theoretical framework for confession in a cultic context.

Before attempting to explore their influence in the Dead Sea Scrolls, it is necessary to summarize the nature of these motifs, starting with Milgrom's exposition of the אשם offering. In *Cult and Conscience*, Milgrom notes that

20. E.g., ibid., 121, 154, and *passim*.

21. E.g., ibid., 48–50 and *passim*.

22. E.g., Werline recognizes the influence of Priestly language on 1 Kgs 8 (casuistic form, confession; ibid., 23–44) and Ezra 9 (מעל, אשמה, "confess"; 47–50) and the prayer as "confession" in Neh 9 and Third Isaiah (63); he also notes the similarities between Lev 26 and Deut 28–30 and seems to accept Milgrom's arguments for a preexilic dating of P. Nevertheless, he concludes: "another peculiar feature about these prayers is the minimal influence that Levitical traditions had on them" (ibid., 193). It seems to me that there is evidence pointing to a much greater importance of the Priestly tradition.

23. Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999), 47–55; see also his critique of Werline at 48 n. 13.

מעל according to P is sin against God (Num 5:6) and falls into two categories: "trespass on Temple *sancta*" and "violation of the covenant oath."[24] Its penalty is destruction by God. Unintentional מעל can be atoned by restitution plus one-fifth and an אשם sacrifice, but deliberate מעל *cannot* be atoned by sacrifice. Nevertheless, there are three instances in Priestly sources where deliberate sins against God are expiated by sacrifice: Lev 5:20–26 (Eng. 6:1–7)//Num 5:6–8, regarding a false oath about sin; Lev 5:1;[25] and Lev 16:21, regarding the scapegoat for removal of the sins of community on the Day of Atonement. These are also the only three cases that "explicitly demand a confession from the sinner over and above his remorse."[26] According to Num 5:6–8, when a person feels guilt,[27] he confesses (התודה) the sin (חטאה), makes reparation (אשם, to the person, kinsman, or priests), and a ram of expiation is offered on his behalf.[28] Thus, Milgrom proposes that "confession is the legal device fashioned by the Priestly legislators to convert deliberate sins into inadvertencies, thereby qualifying them for sacrificial expiation."[29] Furthermore he notes a complete absence in P of שוב in its covenantal meaning "repent," but rather P distinctively uses אשם, התודה, and נכנע. He concludes from this that "P's sacrificial system of expiation must be of pre-exilic" origin.[30]

Of great importance for our topic, Lev 26:39–42 understands the violation of the covenant (26:15) as a deliberate מעל sacrilege committed against God.[31] It prescribes that the people (1) confess (התודה) their sin and the sin of their fathers, (2) humble (נכנע) their uncircumcised hearts, and (3) make reparation for their sin. Then God will remember the covenant with the patriarchs and will remember the land. That is, the Priestly legal innovation just described is applied to the exile. There are here three of the four elements: contrition (here נכנע, elsewhere most often אשם), confession, and reparation. Sacrifice is missing. Milgrom reasons that this is because, in the absence of the possibility of sacrifice—the envisaged context here is the people removed from the land—confession does double duty: to convert the sin to an inadvertency and to atone for

24. Jacob Milgrom, *Cult and Conscience: The Asham and the Priestly Doctrine of Repentance* (SJLA 18; Leiden: Brill, 1976), 17.

25. See n. 76 below.

26. Ibid., 119. He also notes the confession required in Lev 26:40, but this is admonition, not casuistic law.

27. אשם without an object in cultic texts means "feel guilt" (Milgrom, *Cult and Conscience*, 104).

28. Milgrom (ibid., 106) illustrates from ancient Near Eastern texts the idea that "a crime must be confessed to qualify for sacrificial expiation."

29. Ibid., 119.

30. Ibid., 122.

31. Ibid., 19.

it, as noted also by Werline.[32] Thus, Lev 26:39–42 provides a theoretical basis for confession of sin as the response to exile, but in a context where the normal procedure would include *sacrifice as well as confession*. The absence of sacrifice is an extraordinary feature due to the condition of exile. Furthermore, confession is not involved as an alternative to sacrifice but as an essential element, since sacrifice alone could not from the Priestly perspective atone for this type of sin. Even with sacrifice, confession would be required to allow atonement. Without sacrifice, the role of confession is simply extended. We must also note the element of reparation, which corresponds to the Priestly requirement of restitution plus one-fifth. What is it in the context of exile envisaged by Lev 26? This is clarified in verse 43: their removal from the land so that it can lie desolate is accepted as reparation.

These two sets of motifs underwent subsequent development and intermingling evident within later scriptural texts. The prophets mostly reflect the language of the Deuteronomic motif, calling the people to repent (שוב) and seek (דרש, בקש). This pattern is already well established in preexilic prophets; for example, "repent" and "seek" define the program for restoration in Hos 5:15–6:1 and also 3:5; 7:10; 14:2; Isa 9:13; Jer 36:7.[33]

In 1 Kgs 8, too, the "turn and seek" motif is prominent, as Werline has amply demonstrated. The prayer closely echoes the language of Deut 4 and 30 with regard to the relationship between God and the people, the curses of the covenant, and the prescription for restoration, especially to "return to their heart" and to return (שוב) to God with all their heart and soul. Nevertheless, the Deuteronomic language is reformulated into conditional sentences, adopting the form of Priestly casuistic law.[34] Furthermore, Werline notes that 1 Kgs 8 interprets the "seeking" (דרש, בקש) of Deuteronomy in terms of prayer: the people are to repent and *pray* (התפלל, התחנן). This is the key movement in the development from the covenantal warnings of Deuteronomy to the postexilic penitential prayers, and it is almost certainly under the influence of the cultic confession motif: even though the term התודה is not used but rather התפלל and התחנן, the content of the supplication is a threefold confession of sin (חטאנו והעוינו רשענו; 1 Kgs 8:47) related to the confession of sin in Lev 16:21 for the Day of Atonement (חטאתם, פשעיהם, עונת).

The influence of the cultic confession motif and intermingling with the "turn and seek" motifs may be apparent in some of the early prophets. Most striking is Hosea.[35] The prophet frames an accusation against Israel by reference to its guilt

32. Werline, *Penitential Prayer*, 49.

33. Many more passages use one of the terms individually.

34. Werline, *Penitential Prayer*, 22–23.

35. See also Jer 36:7: supplication (תחנון) and repentance (שוב).

incurring the penalty of death, using the Priestly terminology √אשם (Hos 13:1; 14:1 [Eng. 13:16]).[36]

> He was punished [√אשם] at Baal and died.…
> Samaria will be punished [√אשם] because she has rebelled against her God:
> they shall fall by the sword.

This is followed by a plea for the people to return to God, with characteristic Deuteronomic language (Hos 14:2–3 [14:1–2]).

שובה ישראל עד יהוה אלהיך כי כשלת בעונך
קחו עמכם דברים ושובו אל־יהוה
אמרו אליו כל־תשא עון וקח־טוב
ונשלמה פרים שפתינו …

> Return, O Israel, to the Lord your God, for you have stumbled because of your iniquity. Take words with you and return to the Lord;
> say to him, "Take away all guilt; accept that which is good,
> and we will offer the fruit [Heb. "bulls"] of our lips.…"[37] (NRSV)

In any case, the influence of both motif clusters is clear in the postexilic penitential prayer tradition. The "turn and seek" repentance motif has been well highlighted by Werline, so there is no need to repeat the evidence here. We can recognize influence of the cultic confession motif by the following distinctive traits:[38] sin described as מעל; contrition/repentance as אשם and/or humbling (possibly also expressions of humility: fasting, weeping, torn garments); prayer of confession; and a confession formula related to the Day of Atonement confession from Lev 16:21.[39] Thus, the version of Solomon's prayer in Chronicles shows more clearly a combination of both motif clusters: "if my people … humble themselves [נכנע], and pray [התפלל] and seek [בקש] my face, and turn [שוב] from their wicked ways, then I will hear from heaven and will forgive their sin and heal their land" (2 Chr 7:14; not paralleled in 1 Kgs 8). Manasseh committed מעל, and his

36. Milgrom, *Cult and Conscience*, 5; the translation of Hos 14:1 is from Milgrom, who argues that אשם here must mean the consequent punishment. On Hos 13:1 and 14:1 framing the accusation, see Francis I. Anderson and David Noel Freedman, *Hosea: A New Translation with Introduction and Commentary* (AB 24; Garden City, N.Y.: Doubleday, 1980), 626, 630, 641.

37. See n. 8 above.

38. The distinctive terms from P, absent from Deuteronomy are: מעל, אשם, התודה, and נכנע.

39. The confession here of חטאתם … פשעיהם … עונת becomes a paradigm for some confession of sins in penitential prayers: 1 Kgs 8:47; Jer 14:20; Ps 106:6; Dan 9:5 (חטאנו ועוינו והרשענו); Bar 2:12 (ἡμάρτομεν ἠσεβήσαμεν ἠδικήσαμεν); 1QS 1:22b–24a (with addition of "we have done wickedly"); CD 20:28–29.

renovation is due to prayer (תפלה) and humbling (נכנע) himself (2 Chr 33:19). The influence of Lev 26 on the penitential prayers in Ezra 9, Neh 1, 9, Dan 9, Bar 1:15–3:8, and Prayer of Azariah is especially evident in their descriptions as acts of humbling and confession. The sin of the people is called מעל in Ezra 9,[40] Neh 1, and Dan 9, and the prayers of Ezra 9, Neh 9, and Dan 9 are explicitly called confession (התודה). The confession formula of Lev 16:21 seems to be the influence for the multiple confessions in Dan 9 and Bar 1:15–3:8. The prayers of Neh 9 and Dan 9 seem to understand respectively the message of the prophets and the covenantal warnings in the Pentateuch to prescribe repentance and prayer as the program for restoration.[41] These prayers do not present repentance alone atoning for sin: as with Lev 26:43, the experience of God's punishment is assumed as reparation. This is explicit in Dan 9:24,[42] but it also underlies the frequent declarations that the people have suffered God's punishment. Furthermore, there is no hint that the confession is offered as an alternative to sacrifice. Ezra's prayer is offered at the temple at the time of the evening sacrifice (Ezra 9:5; 10:1), and for their sin of intermarriage—described as מעל by which they incurred guilt (אשם)—the congregation both confesses (תודה תנו) their sins *and* offers a guilt offering (אשם; Ezra 10:10–11, 19). In Baruch, the people in Babylon do acts of humbling (weeping, fasting) and pray (1:5), and they collect money to send to Jerusalem for sacrifices (1:6–7, 10). In Prayer of Azariah, there is petition for God to accept a contrite heart and humble spirit (LXX Dan 3:39; cf. LXX Ps 51:19) as sacrifice to atone, since they have no altar: "such may our sacrifice be in your sight today." One should assume that if there were an altar the response would be to confess *and* make sacrifice.

The texts cited are of diverse genre and setting and appropriate the penitential prayer tradition for different purposes, but they all reflect in varying ways a combination of Deuteronomic language and the Priestly perspective of cultic confession: humbling, confessing sin, making reparation, and—where possible—sacrifice. There are plausible grounds, then, to argue that the development of the penitential prayer tradition in the Second Temple period was influenced by a Priestly legal tradition in which confession normally would work *together* with sacrifice to atone for deliberate sin against God. Under the conditions of exile, confession and humbling before God could be accepted for atonement without

40. There is no precedent for Ezra's denunciation of intermarriage as מעל. Milgrom suggests the process of his midrash: he extends D's prohibition on some intermarriage (priests, Deut 23:4) to all intermarriage of the people because he derives from D that Israel is a *sanctum* (Deut 7:6; 14:2, 21; 26:19; 28:9). From P he gets the idea of מעל, that trespass upon *sancta* brings divine punishment. It is a desecration on the "holy seed" of Israel. See Milgrom, *Cult and Conscience*, 72.

41. Neh 9:26; cf. 9:28; Dan 9:13.

42. "Seventy weeks of years are decreed concerning your people and your holy city, to finish the transgression, to put an end to sin, and to atone for iniquity."

sacrifice. But theoretically, at least, this is not as an alternative for sacrifice, since sacrifice alone could not atone for deliberate מעל.

It is perhaps worth raising one further speculative thought. Milgrom deals with the psychology of fear of unconscious sin: one's suffering is imagined to result from having trespassed upon God's *sancta*.[43] The response could be to offer a sacrifice "in case."[44] The growing importance of this is seen in the concept of the "suspended אשם" cited in sayings attributed to early rabbis as a pious practice.[45] Could this provide a psychological and social context for understanding the ultimate extension to daily confession of sin?

Penitential Prayer in the Dead Sea Scrolls

It is now time to turn to the scrolls to explore the use of the motif resources we have been considering. Besides evidence for prayers, we will also consider law and narrative. This investigation will for the most part not concern itself with the historical aspect of the scrolls, that is, dating of texts, redactions, and developmental factors. These are, of course, ultimately essential to historical reconstruction, but the present goal is much more modestly to explore the possible resources present. Due to the very fragmentary and partial nature of our evidence, the overall task is akin to assembling a jigsaw puzzle with half the pieces; our goal here is merely to lay out some of the pieces on the table and start some initial sorting.

Penitential Prayer Texts

Deciding what constitutes a penitential prayer is not entirely straightforward. As a founding contribution to the Penitential Prayer Consultation in 2003, Rodney Werline proposed the following definition: "Penitential prayer is a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance."[46] This is a very useful definition, but it is does not eliminate all the problems of classification. For example, is an explicit petition for forgiveness necessary? The last element of Werline's definition is especially important: it is not a set of words alone that constitutes a penitential prayer but words employed as an act of repentance. That is, words are only part of what makes a penitential prayer, but for the most part all we have are words in texts; without access to the context and use of the words by means of observing and interrogating people at prayer, it is very difficult to dis-

43. Milgrom, *Cult and Conscience*, 74–76.

44. Cf. Job 1:5, here an עלה, but see Milgrom on this passage (ibid., 78 n. 284).

45. Milgrom refers to *m. Ker.* 6:3; cf. *t. Ker*. 4:4 (ibid., 80).

46. Now Rodney A. Werline, "Defining Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:xv.

cern an act of repentance from texts alone. Dealing with the prayers at Qumran is further complicated by the fact that they are fragmentary and sometimes the majority of the text is missing: How does one classify a text that preserves a confession but no petition or a petition but no confession? Given these difficulties, there is much room for disputing which texts deserve mention.

The primary corpus should include the following:

1. *Words of the Luminaries* (4Q504, 4Q506): a collection of petitionary prayers for days of the week; some if not all are penitential (see further discussion below).

2. *Festival Prayers* (1Q34+34bis, 4Q507, 4Q508, 4Q505+509): a collection of very fragmentary prayers for festivals. It is difficult to reconstruct prayers or assign fragments to particular festivals.[47] At least some of the prayers seem to be penitential, but it is not certain that the scroll contained penitential prayers for each festival.

3. *Communal Confession* (4Q393): a fragmentary penitential prayer with no indicated occasion. It is not impossible that it is a prayer embedded in a narrative context: literarily, the prayer is an expansion of the prayer of Moses in Deut 9:26–29, particularly with language from Neh 9 and Ps 51, and has strong literary affinity with both *Jub*. 1:4–25 and the *Psalms of Joshua* (4Q378, 4Q379).[48]

4. 1QS 1:24–26: a short confession of sin recited at an annual covenant ceremony by those entering the covenant. After mentioning that the Levites declare the sins of Israel, the passage describes a confession by the initiates.

> […al]l those entering into the covenant confess (*hiphil* ידה) after them, saying:
> We have committed iniquity, we have [trans]gressed, we [have sin]ned, we have done wickedly, we and our [an]cestors before us, in walking

47. See Daniel K. Falk, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (STDJ 27; Leiden: Brill, 1998), 155–87.

48. See Daniel K. Falk, "4Q393: A Communal Confession," *JJS* 45 (1994): 184–207; idem, "393. 4QCommunal Confession," in *Qumran Cave 4.XX: Poetical and Liturgical Texts, Part 2* (ed. Esther Chazon, et al.; DJD XXIX; Oxford: Clarendon, 1999), 45–61; idem, "Biblical Adaptation in 4Q392 Works of God and 393 Communal Confession," in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* (ed. Donald W. Parry and Eugene Ulrich; STDJ 30; Leiden: Brill, 1999), 126–46.

> [contrary to the laws of] truth. Righteous [is God …] his judgment against us and against [our] ancestors.

The liturgy as a whole draws very heavily on Deut 28–30 as well as Deut 4, but the confession itself is a unique combination of Lev 26:40 and 16:21. This case illustrates one problem of categorizing: There is no petition for forgiveness, so does it qualify as a penitential prayer? The unique character of the covenant ceremony—confession of sin followed by cursing on outsiders and apostates—is motivated by reflection on Lev 26:40–45 together with Deut 29:17–20 and 30:1–10.[49]

5. CD 20:28–29: a similar confession of sin to 1QS 1:24–26 and probably recalling the same occasion. There are slight differences in wording.[50]

6. The ritual purification liturgies (4Q284, 4Q414, 4Q512) contain prayers to be recited by the person undergoing purification. The texts are very fragmentary, but it seems that at least some of those in 4Q512 are penitential prayers (e.g., "[my] tongue confesses," frg. 28 1–4; "guilty iniquity" [עוון אשמה], frg. 15 i–16 1; "To ask mercy for all my hidden faul[ts …] just in all yo[ur] wor[ks …] from the impure disease…," frg. 34 3–5).

The most interesting of these is *Words of the Luminaries*, since it provides the earliest example of daily penitential prayer, and a significant amount is preserved, especially from the prayers for Thursday and Friday. Nevertheless, it highlights the problems mentioned earlier. In her chapter on the *Words of the Luminaries* in this volume, Chazon points out the "glaring omission in this liturgy of the classic confessional formula, 'we have sinned' (חטאנו) and of the distinctive term for confession, the reflexive *hitpa'el* form of ידה" and notes that "these omissions are compatible with the shift … away from sin as the dominant theme of these prayers."[51] This is an important observation, but it could be misleading without some qualification.

First, we need to recall that the prayer texts in the Dead Sea Scrolls are remarkably fragmentary: most preserve only a tiny proportion of the content of the prayer. Second, the "we have sinned" formula is not universal in penitential prayers: it does not occur in either Neh 9 or Ezra 9. Instead, the formulations in these prayers are, "they acted presumptuously and stiffened their necks and

49. Falk, *Daily, Sabbath, and Festival Prayers*, 219–26.

50. See ibid., 226–35.

51. Chazon, "The *Words of the Luminaries* and Penitential Prayer in Second Temple Times," in this volume.

did not obey your commandments; they refused to obey … they were disobedient and rebelled … they sinned " (Neh 9:16–17, 26, 29); "we are in great guilt … we have abandoned your commandments" (אנחנו באשמה גדולה … עזבנו מצותיך; Ezra 9:7, 10). In the other penitential prayers, the formulation involving "we sinned" takes various forms, either a single verb (Neh 1:6, 7; Pr Azar 1:6; Bar 1:17–18) or multiple verbs (Dan 9:5, 15; Ps 106:6; Bar 2:12), reflecting such formulations as Lev 16; 1 Kgs 8:47; 2 Chr 6:37.

Third, the lack of התודה as "confess" in the petitions of *Words of the Luminaries* is not so unusual when compared with the other penitential prayers themselves. Only in one case (Neh 1:6) do we find the verb used in the text of the prayer itself; in all the other cases, the verb occurs in the narrative context to *describe* the prayer (Ezra 10:1; Neh 9:2, 3; Dan 9:4, 20). The situation in the Qumran texts is similar: the *hitpa'el* verb is not found in the texts of any prayers but is used to describe confession in CD 20:27–31//4Q267 frg. 3 6–7 (covenant ceremony); CD 9:13–16 and 15:3–5//4Q270 frg. 6 i 21 (guilt restitution); 11QT[a] 26:10–13 (Day of Atonement). Although the *hiphil* form of the verb ידה usually means to praise or give thanks (as in the *Hodayot*), it occasionally is used to refer to confession of sins: 1QS 1:24–26 (covenant ceremony), 4Q512 frg. 28 2 (purification ritual), and, possibly, 1QS 10:23–24 (cf. Ps 32:5; Prov 28:13). These cases correspond to three uses of the verb ידה as confession of an offense in the Bible: confession for sins of exile (Lev 26:40); confession to accompany guilt restitution (Lev 5:5; Num 5:5–10); and confession on the Day of Atonement (Lev 16:21).

Also, there are, on the other hand, other expressions used to indicate confession, as in 1QS 1:22–23 (√ספר); 1QS 9:4–5: "offering of the lips for judgment as a pleasing odor or righteousness"; 1QS 10:11–12: "I will declare [אוכיח] his judgment in accordance with my iniquities, and my transgressions are before my eyes as an engraved statute. To God I will say 'My Righteousness.'" Also possibly relevant are 1QS 10:23–24, "with confession [הודות, usually translated 'thanksgiving'] I will open my mouth, and my tongue will declare the just acts of God always, and the treachery (מעל) of men until the completion of their transgression"; and 4QapocJosh[a] (4Q378) frg. 6 ii 6, "I/we acknowledged and said […]" (*hiphil* נכר).[52]

Chazon notes that the prayers for Sunday and Thursday include petition for spiritual aid (repentance, forgiveness, and knowledge), whereas those on Tuesday, Wednesday, and Friday petition for physical deliverance.[53] This is also an important distinction, but it is again potentially misleading. Some prayers combine petition for physical deliverance and petition for repentance, forgiveness, and knowledge, including 11Q5 *Plea for Deliverance* and 4Q393 *Communal Confession*.

52. Carol Newsom, "Apocryphon of Joshua," in *Qumran Cave 4.XVII: Parabiblical Texts, Part 3* (ed. George J. Brooke et al.; DJD XXII; Oxford: Clarendon, 1996), 248. The phrase has been corrected from the first-person singular to first-person plural.

53. Chazon, "*Words of the Luminaries* and Penitential Prayer," 179.

I think this may also be the case with *Words of the Luminaries* (in the prayer for Thursday: references to physical distress, although the petition is explicitly for spiritual strengthening; in the prayer for Friday: references to spiritual strengthening, although the petition is explicitly for physical deliverance) and *Festival Prayers* (see the prayer for Booths, 4Q509 frg. 8 4–10; frg. 12i+13; frg. 10ii+11 1–7).

Given these qualifications, I would argue that, despite Chazon's important observations, the weekday prayers of the *Words of the Luminaries* should probably all be regarded as penitential prayers, even though the formulations vary and they include concerns besides sin. Nevertheless, the data provided by these prayers for our purposes is limited and ambiguous. They evidence rich mosaics of scriptural allusions combining language of the turn and seek motif (Deut 4; 30) and the cultic confession motif (esp. confession, humbling, guilt of Lev 26:40; and the threefold confession of Lev 16), but it is rarely possible to discern evidence of significant and distinctive reflection on the sources of these motifs that goes beyond the scriptural penitential prayers that already serve as models. Even more to the point, there is very little evidence to be found in the prayers themselves to clarify the theoretical function of the prayers. I will highlight only one intriguing point.

The prayer for Friday in the *Words of the Luminaries* contains an excellent example of interweaving language from Deut 4 and 30 and Lev 16 and 26:40–41.[54] After rehearsing the sins of the people that resulted in exile, they acknowledge that God was gracious to them to turn their hearts to return to, obey, and seek him. They confess their iniquity, sin, and transgression (although, as Chazon has noted, not in the "classic confessional formula") and acknowledge God's justice. Then follows what Chazon rightly calls "an unusually bold claim by the worshipers":

> ועתה כיום הזה אשר נכנע לבנו רצינו את עווננו ואת עוון אבותינו במעלנו ואשר הלכנ֯ו בקרי ולוא מאסנו בנסוייכה ובנגיעיכה לוא געלה נפשנו להפר את בריתכה בכול צרת נפ֯ישנו כיא אתה אשר השלחתה בנו את אויבינו[55]
>
> And now, today when our heart is humbled [נכנע], we have atoned [רצה] for our iniquity [עון] and the iniquity of our fathers, with our treachery [מעל] and our walking in hostility. We have not refused your tests or your blows. Our souls

54. See the notes in Maurice Baillet, *Qumrân Grotte 4.III (4Q482–4Q520)* (DJD VII; Oxford: Clarendon, 1982), 146–50. For detailed discussion, see Esther G. Chazon, "A Liturgical Document from Qumran and Its Implications: 'Words of the Luminaries' (4QDibHam) [Hebrew]" (Ph.D. diss., Hebrew University, 1991), 268–97.

55. Transcription adapted from Baillet, *Qumrân Grotte 4.III,* 148. Superscript indicates supralinear additions; I otherwise do not indicate the certainty of readings or corrections. For discussion of the philological issues in the passage, see ibid., 149.

> did not loathe to the point of breaking your covenant in all the distress of our souls, for it is you who sent among us our enemies. (4Q504 frg. 1–2 vi 4–8)

This passage is a creative reworking of Lev 26:40–45 into a statement that they have humbled themselves and atoned for their sin. Language about the people spurning God's laws and God not rejecting them so as to cancel his covenant is turned into a claim that the community has not spurned God's discipline or broken his covenant.

4Q504 frg. 1–2 vi 4–8	**parallels**	
ועתה כיום הזה	עד היום הזה … ועתה καὶ νῦν … ὡς ἡ ἡμέρα αὕτη	cf. Neh 9:32; Dan 9:7, 15 cf. also Bar 2:11
אשר נכנע לבנו	או אז יכנע לבבם	Lev 26:41
רצינו את עוונו ואת עוון אבותינו	ירצו את עונם את עונם ואת עון אבתם	Lev 26:41, 40 (cf. Dan 9:16; Neh 9:2)
במעלנו ואשר הלכנו בקרי	במעלם אשר מעלו בי ואף אשר הלכו עמי בקרי	Lev 26:40 (cf. Dan 9:7; Ezra 9:2)
ולוא מאסנו בנסוייכה ובנגיעיכה לוא געלה נפשנו	במשפטי מאסו ואת חקתי געלה נפשם	Lev 26:43
להפר את בריתכה בכול צרת נפשינו	להפר בריתי אתם ψυχὴ ἐν στενοῖς	Lev 26:44; cf. Bar 3:1; 2:18
כיא אתה אשר השלחתה בנו את אויבינו	והבאתי אתם בארץ איביהם	cf. Lev 26:41, cf. also 26:44

The remarkable feature is that the worshipers claim to have made atonement for their sins and those of their ancestors. How? I suggest that this is answered by the statement: "we have not refused your tests or your blows … for it is you who sent among us our enemies." Lev 26 applies the Priestly system for atoning deliberate מעל to the exile, whereby banishment from the land constitutes restitution. This prayer extends the concept a bit further: willing submission to God's discipline (of banishment) constitutes restitution. I believe that this represents fresh and distinctive reflection on these texts. The view reflected here is similar to that represented in the sectarian laws and penal code (see further below).

Num 5	**Lev 26**	**4QDibHam Friday**
remorse	humbling	humbling
confession	confession	confession
restitution	exile	willing submission to discipline (exile)
אשם offering	——	——

In addition to the texts discussed above, there are also a number of other texts that might be included in a second category: prayers or psalms containing or alluding to related features (petition for deliverance or for forgiveness, repentance, and knowledge) but not necessarily constituting penitential prayers. For our purposes, they may still provide some useful information about penitence.

1. *Noncanonical Psalms* (4Q380, 381). This collection contains a number of petitionary prayers for mercy and deliverance (e.g., 4Q381 frg. 15; frg. 31; frg. 45) but also some that are penitential (4Q381 frg. 33+35 1–7, 8–11; 4Q380 frg. 7 i; cf. 4Q381 frg. 69).[56]

2. *Hodayot*: numerous hymns reflect on humans as flesh, God as righteous, knowledge; some are based on or refer to the covenant ceremony. As Werline has shown, the hymns sometimes reflect penitential prayer closely, for example:[57]

> 34 For I remembered my guilt [אשם], and the unfaithfulness [מעל] of my ancestors.…
> 37 For you atone [כפר] iniquity [עוון] and cle[anse] man of his guilt [אשם] through your justice. (1QH^a 12:33b–34a)

If we ask what is the mechanism by which sins are atoned, we may gain clues from the polemical context about opponents (1QH^a 12:10–27). Thus, those who are atoned are those who confess sins and sins of ancestors and study Torah with right interpretation guided by an inspired teacher.[58] Once again, this reflects an interpretative combination of the cultic confession motif with the motif of "turn and seek" understood as repent and study.

3. *Aramaic Levi* (4Q213a). This contains a petition for spiritual strengthening—repentance, forgiveness, knowledge—in a narrative context. It is preceded by acts of humbling but is not a penitential prayer.

4. *Plea for Deliverance* (11Q5 19:1–18; 11Q6 frg. a, b). It contains a petition for spiritual strengthening—knowledge, forgiveness, repentance—in a situation of distress. A motive clause confesses that prior sins had caused distress from which God had delivered the supplicant. Possibly this could be considered a penitential prayer.

5. *Psalm 155* (11Q5 24:3–17). It is not a penitential prayer but includes a petition for spiritual strengthening—knowledge, forgiveness, repentance—in a situation of distress.

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56. See Eileen M. Schuller, *Non-canonical Psalms from Qumran: A Pseudepigraphic Collection* (HSS 28; Atlanta: Scholars Press, 1986); idem, "Non-canonical Psalms," in *Qumran Cave 4.VI: Poetical and Liturgical Texts, Part 1* (ed. Esther Eshel et al.; DJD XI; Oxford: Clarendon, 1998), 75–172.

57. Werline, *Penitential Prayer*, 140–43.

58. See Russell C. D. Arnold, "Repentance and the Qumran Covenant Ceremony," 172–73 in this volume.

6. *Prayer of Enosh* (4Q369 frg. 1 i 1–7). In a narrative context, a prayer by Enosh mentions an acknowledgment of guilt in relation to a failure to observe festivals properly.

7. *Apocryphon of Joshua* (4Q378, 379). In the context of a narrative about Joshua, there is a reference to a prayer for sin, although the prayer does not seem to be preserved (4Q378 frg. 6 i 7). Three fragments possibly belong to prayers of confession (4Q378 frg. 6 ii; frg. 22 i; frg. 27 3).

8. *Prayer for Mercy* (4Q481c). This is a petition for mercy and gathering; it could be part of a penitential prayer.

9. 4Q179 *Apocryphal Lamentations A*. There is no indication that it is penitential, but this is a lament psalm that refers to "our sin … transgressions … iniquities" (cf. Lev 16).

These texts invite closer scrutiny as a group, but their fragmentary nature provides little useful data for the purposes of the present work.

Law and Narrative

The question to be considered now is whether there is evidence for the influence of these motif clusters on laws and narratives that reflect self-perception. Milgrom points out that Philo shows the same interpretation of אשם and confession in his exposition of Lev 5:20–26 (Eng. 6:1–7) about a deliberate false oath (*Leg.* 1.235–238): it is atoned by voluntary confession, reparation plus one-fifth, and temple sacrifice.[59] He also finds evidence for this theory in tannaitic traditions with regard to the Day of Atonement ("Since he has confessed his brazen and rebellious deeds it is as if they become as unintentional ones before him"; "Great is repentance which converts intentional sins into unintentional ones").[60] There may be some question whether Milgrom was unduly influenced by rabbinic interpretation in his exposition of the אשם and confession in the Torah, but for our purposes the relevant observation is that there was subsequent reflection on a special cultic function of confession. The important question here is whether there is evidence in the Dead Sea Scrolls of similar interpretative activity on these traditions to derive distinctive laws and narratives.

59. Milgrom, *Cult and Conscience*, 111–14.

60. Ibid., 118 and n. 432; Milgrom cites from Sifra Ahare, par. 2:4, 6, and points to similar sayings about confession converting deliberate transgressions to inadvertencies in *t. Yoma* 2:1 and *b. Yoma* 86b.

There is much evidence in the laws and narratives in the Dead Sea Scrolls consistent with what Boda, Werline, Newman and others have noticed about the influence of scriptural traditions on penitential prayers; that is, a similar mosaic of texts, terminology, and motifs is active. I wish to consider more specifically whether there is evidence of reflection on a theory of cultic restitution that involves confession, along the lines of Milgrom's hypothesis concerning מעל. The evidence will be presented in four categories: precise usage of מעל; distinction between deliberate and inadvertent offenses; cultic confession as remedy for exile; and the means of atonement. There will be no concern here to date sources or to address redactional issues such as differences among law codes.

Precise Usage of מעל

First, מעל in the Dead Sea Scrolls has a relatively precise meaning similar to scriptural usage: as sin against God in terms of sacrilege against God's *sancta* and against his name in oath violations.[61] In the narrative of CD 20:22–24, the "time of Israel's trespass" (בקץ מעל ישראל) is associated with the desecration of the sanctuary. Improper use of sacred food is מעל, according to *Halakah A* 4Q251 frg. 16 3 (cf. Lev 5:20–26).

In the laws of the *Damascus Document* are several cases of specific legal midrash on the scriptural sources for מעל as oath violation in Lev 5 and Num 5.

> (a) Concerning Oaths: as to that which he said, "Let not your hand help you," a man who causes (another) to swear in the open field that is not in the presence of the judges or by their bidding has let his hand help him. (CD 9:8b–10a)
>
> (b) And anything lost, and it is not known who stole it from the property of the camp in which it was stolen, its owner shall swear an oath of adjuration. And he who hears it, if he knows and does not tell, shall bear guilt [אשם]. (CD 9:10b–12)
>
> (c) Any guilt restitution [אשם מושב] when there are no owners, the one making restitution [המישב] shall confess [התודה][62] to the priest, and it shall belong to him, besides the ram (for) the guilt restitution [האשם]. (CD 9:13–14a)
>
> (d) Likewise, any lost article that is found, but there are no owners, shall belong to the priests. For the one who found it does not know its judgment. If the owners are not found, they shall retain it. (CD 9:14b–16a)[63]

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61. See Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991), 345–49.

62. The manuscript erroneously reads והתורה.

63. Based on the translation by Joseph M. Baumgarten and Daniel Schwartz, "Damascus Document (CD)," in *Damascus Document, War Scroll, and Related Documents* (vol. 2 of

The law in (a) is derived from Lev 5:1 and a legal midrash of an unknown source.[64] The law in (b) is the product of a creative midrash applying the law of public adjuration in Lev 5:1 to the case of stolen property by analogy with the case of the woman suspected of adultery in Num 5:11–31.[65] Milgrom notes that the concluding word ואשם interprets נשא עון of Lev 5:1.[66] The laws in (c) and (d) apply the law of restitution where there is no one to compensate (Num 5:5–8) to the case of lost items (Lev 5:21–26)—both of these passages concern מעל as trespass against God's name in which oaths are taken—to modify the law of lost items in Deut 22:1–3. The result of this original and clever midrash (e.g., replacing "and if there is no kinsman" [for injured parties] of Num 5:8 with "and if there is no owner" and interpreting "house" of Deut 22:2 as "temple") is that lost items are given to a priest instead of the finder holding them.[67] That is, there is evidence of detailed exegesis on these passages to derive new and distinctive laws.

Moreover, the application of these laws is extended to areas that are central to the sectarian self-consciousness and legal code.

(1) Although the scriptural laws concern false oaths only, CD 15:1–5 extends the principle by banning all oaths in God's name. The penalty is death; it may be atoned by showing remorse (אשם), confessing sin (התודה), and making restitution. This follows the pattern for dealing with מעל against God in Lev 5 and Num 5—with the exception of sacrifice; the restitution is presumably acceptance of communal penalty (temporary demotion resulting in banishment from pure food).[68] In this, it is parallel to the prescription in Lev 26:40 for rectifying the מעל sacrilege resulting in exile (suffering banishment from land, confession doing double-duty in absence of sacrifice). That this ban on oaths is distinctive and central to the sectarian movement is attested also by Josephus (*War* 2.139).

Thus, the key passage on which Milgrom built his argument—the Priestly law concerning deliberate false oaths from Lev 5:20–26//Num 5:5–10—is raised twice in the *Damascus Document*: CD 9:13–14 and 15:3–5. In both cases, confession is required to atone for deliberate sin, in addition to restitution. In the situation when there is no human party to which one can make restitution (CD 9:13–14),

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The Dead Sea Scrolls: Hebrew, Aramaic, and Greek Texts with English Translations; ed. James H. Charlesworth; PTSDSS; Tübingen: Mohr Siebeck, 1995), 43.

64. Ibid., 43 n. 142.

65. Lawrence H. Schiffman, *Sectarian Law in the Dead Sea Scrolls: Courts, Testimony and the Penal Code* (BJS 33; Chico, Calif.: Scholars Press, 1983), 112.

66. Milgrom, *Leviticus 1–16*, 295–96. See the discussion by Schiffman, *Sectarian Law*, 112.

67. Ibid., 116–23.

68. See the penal code as reconstructed by Charlotte Hempel, *The Laws of the Damascus Document: Sources, Traditions and Redaction* (STDJ 29; Leiden: Brill, 1998; repr., Atlanta: Society of Biblical Literature, 2006), 141–43, and compare the case of the expulsion ritual in 4QD^{e}, discussed further below (see also ibid., 175–85).

one confesses sin and makes restitution to God by giving it to the priest[69] in addition to the ram for אשם sacrifice.[70]

(2) Sacrilege of the divine name in oaths is also extended to include Torah (CD 15:2; 9:16–18). In both cases it is directly in the context of laws concerning oath violation, and in both cases it potentially results in death.[71] Once again, this is a distinctive law derived from original exegesis on these texts.

(3) Sacrilege of God's *sancta* is also extended to include the community. The penal code of the *Rule of the Community* outlines three specific offenses that result in permanent banishment from the community: sacrilege against God's name (1QS 6:27–7:2); slandering against "the many"; and grumbling against the authority of the community (7:16b–18a). Permanent banishment from the community corresponds, for the sectarian members, to punishment of death by God, the normal result of מעל against God. But why does slander/disrespecting the community at large merit the same punishment? By contrast, the same offense against another member (1QS 7:15b–16a, 17b–18a) or even one of the priests (7:2b–3a) merits only a temporary demotion.[72] The answer, I suggest, is to be found in their distinctive view of the community as the sanctuary of God (e.g., 8:5–10; 9:5–6; 4QFlor frg. 1–2 i 6–7).[73]

(4) *Apocryphon of Jeremiah C*[e] 4Q390 frg. 2 i 7–11 extends מעל sacrilege to include a list of sins reminiscent of the nets of Belial: ill-gotten gain; defilement of sanctuary; Sabbaths; festivals; sexual sins; violence of priests. *Apocryphon of Jeremiah C*[b] 4Q387 frg. A 1–2 also appears to apply it to sexual sin ("in their nakedness, each drawing near to his close kin").[74]

Distinction between Deliberate and Inadvertent Offenses

According to Milgrom's theory of the cultic אשם law, confession is required only

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69. Schiffman plausibly suggests that הכל could include the one-fifth extra of the restitution according to the Priestly law (*Sectarian Law,* 120).

70. I understand לבד here as "besides," corresponding to מלבד in Num 5:8 (so also Baumgarten, "Damascus Document," 43 n. 145). Schiffman translates "except" (*Sectarian Law*, 119 and 130 n. 65). In CD 15:35 I consider it likely that the אשם sacrifice is assumed in the general statement that he makes restitution.

71. "And the Torah of Moses he shall not mention" (CD 15:2); "Any trespass committed by a man against the Torah … if it is a capital matter" (CD 9:16). Translations from Baumgarten and Schwartz, "Damascus Document."

72. I do not believe that 1QS 7:18b–21 qualifies the argument here; it deals with the different case of straying from laws of the community, to be discussed further below.

73. It is possible that the מעל as persecution referred to in 1QpHab 1:6–7 is related to the same idea.

74. On these passages, see Devorah Dimant, *Qumran Cave 4.XXI: Parabiblical Texts, Part 4; Pseudo-Prophetic Texts* (DJD XXX; Oxford: Clarendon, 2001), 198, 245–49. The translation is that of Dimant.

for deliberate offenses; inadvertent sins are atoned by remorse, restitution, and restitution offering.[75] Leviticus 5, for example, presents מעל sacrilege as a separate category from other sin (חטאת) and in both categories differentiates between deliberate and inadvertent offenses along with their respective consequences (e.g., Lev 5:15–16 addresses inadvertent מעל; 5:17–18 addresses inadvertent חטאת).[76]

There is a very clear and analogous distinction made in the legal codes of the Dead Sea Scrolls. The laws of the *Rule of the Community* distinguish between the Torah (revealed things) and derived interpretations of the community (hidden things). With regard to the hidden things, the "men of deceit" "err" (= inadvertency), because they failed to "seek" (בקש) and "inquire" (דרש) after these. This results in guilt (אשמה), which is normally atoneable. But they are guilty of deliberate (ביד רמה) transgression of the revealed Torah, for which there is no normal atonement; it results in divine vengeance.

> He shall take upon himself by a binding oath to return [שוב] to the Torah of Moses, according to all that he has commanded with all (his) heart and with all (his) soul, according to everything revealed from it to the Sons of Zadok, the priests who keep the covenant and seek [דרש] his will [רצון], and according to the multitude of the men of their covenant who volunteer together for his truth and to walk in his will. He shall take upon himself by covenant to separate from all the men of deceit who walk in the way of wickedness. For they cannot be counted in his covenant, because they have not sought [בקש] or inquired [דרש] of him in his statutes so as to know the hidden things in which they erred so as to incur guilt [אשמה]. And they treated the revealed things defiantly [ביד רמה], so as to arouse wrath for judgment and the exacting of vengeance by the curses of the covenant. … He must not enter the water.… For they cannot be cleansed unless they turn away from their wickedness.… No one must join with him in his duty or his property, lest he bear guilty iniquity [עוון אשמה]. (1QS 5:8–15)

More important than the combination of the language of both the "turn and seek" and cultic confession motif clusters (which has ample precedence) is the adaptation of this combination to a distinctly sectarian framework: hidden versus revealed, and—consonant with CD 9:16–18 and 15:2—infraction of Torah regarded as מעל trespass. The term ביד רמה is fairly common in the Dead Sea

75. E.g., Milgrom, *Leviticus 1–16*, 301.

76. On the complicated issue of Lev 5:1–5, see ibid., 307–15. Milgrom argues that these constitute a special category of graduated purification offerings. These four cases require confession because they are all deliberate in one way: in the first, one deliberately defies an imprecation to testify; in the middle two, the issue is the failure to purify, thus prolonging an impurity that may have been contracted either deliberately or inadvertently; the last case deals with the failure to fulfill a vow knowingly made.

Scrolls for deliberate sin.[77] It comes from Num 15:30, which distinguishes sharply between deliberate (ביד רמה) and unintentional sin (בשגגה, "in error"; see Num 15:22–31).[78] Only unintentional sin can be atoned by a priest. Deliberate sin is a direct affront to God and cannot be atoned; such transgressors are "cut off" and bear their guilt (Num 15:30–31; cf. *Ordinances*[a] 4Q159 frg. 2–4 6). Both Israelites and resident aliens are treated alike.

The influence of this on sectarian law is strong, but there is the new feature of differentiating between Torah of Moses (revealed things) and derived laws of the community ("hidden things," 1QS 5:11; מדרש תורה, 8:12). Deliberate transgression of Mosaic Torah (8:20–9:2)—tantamount to מעל—results in permanent banishment; if the transgression is inadvertent, there is the possibility of return after two years. Transgression of derived laws results in temporary demotion (8:16–19), and similar differentiation of intentionality and hence gravity seems to be reflected in 1QS 7:18–25; CD 20:1–8; 10:2–3 (//4Q266 frg. 8 iii 3//4Q270 frg. 6 iv 15). It is important to note that only insiders are culpable for deliberate violation of the "hidden things"; outsiders can break them only out of ignorance. Given that the penalty is temporary demotion and fine, the case of 1QS 6:24–25 is thus clarified: the issue is lying about one's own property to be recorded in the community (i.e., a derived law, as Schiffman suggested), not about the property law in Lev 5:1 (as proposed by Wernberg-Møller).[79]

The perspective flavors some presentations of eschatological sin: the wicked in the last days act with defiance (ביד רמה), and their end is destruction (4QpPs[a] [4Q171] frg. 1–10 iv 15 [re: the Man of Lies]; 4QCatena[b] [4Q182] frg. 1 3).

MMT is illuminating on the matter, as it represents a conciliatory stage. In the context of outlining a law concerning the purification of lepers that is stricter than both the Bible and the rabbis is the following appeal:

> And you know [that if someone violates a prohibitive commandment unintentionally], and the fact escapes him, he should bring a purification offering; [and concerning him who purposely transgresses the precepts it is writ]ten that he "despises and blasphemes." (MMT Composite Text B 68–70 [4Q396 frg. 1–2 iii 10 //397 frg. 6–13 9])[80]

77. CD 8:8; 10:3; 19:21; 1QS 5:12; 8:17, 22; 9:1; 4Q159 2–4 6; 4Q171 frg. 1–10 iv 15; 4Q182 frg. 1 3; 4Q258 frg. 6 9; 4Q266 frg. 3 iv 6; frg. 8 iii 3; 4Q270 frg. 6 iv 15; 4Q387 frg. 1 5; 4Q388a frg. 3 7; 4Q396 frg. 1–2 iii 10; 4Q397 frg. 6–13 9.

78. This is the only scriptural passage where the phrase is used with this meaning. In Exod 14:8 and Num 33:3 it refers to the Israelites departing "boldly" from Egypt.

79. Schiffman, *Sectarian Law*, 157; Preben Wernberg-Møller, *The Manual of Discipline: Translated and Annotated with an Introduction* (STDJ 1; Leiden: Brill, 1957), 111 n. 75.

80. Elisha Qimron and John Strugnell, *Qumran Cave 4.V: Miqṣat Maʿaśe Ha-Torah* (DJD X; Oxford: Clarendon, 1994), 54–55.

Qimron and Strugnell note that "[h]ere MMT is probably criticizing the practice of opponents who allow healed lepers to enter a house where sacred food … is to be found" and that the author views this tolerance as an act of intentional sin and consequently a despising of God.[81] In the Admonitions section, such sins are referred to as treachery (מעל; C 5), and this is the reason given for the group separating from the multitude of the people so as not to participate with them. The group insists that no treachery (מעל) or deceit can be found among them (C 7–9). The letter urges study of the books of Moses, the prophets, and David, where one finds that straying from Torah will result in the curses of the covenant and that the remedy is to return (שוב) with all heart and soul (Deut 30:1–3). After arguing that the curses have already happened and that these are the last days, when blessings will return to Israel, the letter urges the reader to learn from the lessons of Israel: the seekers (בקש) of Torah are delivered from trouble, and their transgressions (עון) are forgiven (C 23–25). It concludes with an admonition to consider their interpretations of law and to ask God for spiritual strength and deliverance from evil influence so that they may live according to these laws and find blessing. The letter expresses confidence that the reader has wisdom and knows Torah (C 26–32). The tone is conciliatory, and the impression is that the writer does not fault the readers with deliberate sin against God but is warning them that, now that they have received this instruction, they will be engaging in deliberate sin if they do not change.

Cultic Confession as Remedy for Exile

As Werline has shown, the extension of cultic confession to the exile as in Lev 26:40 is a prominent motif in *Jubilees* (1; 23) and some of the Dead Sea Scrolls focusing on characteristic sins, including neglect of calendar.[82] The Admonition of the *Damascus Document* (CD 1–8, 19–20), for example, draws heavily on both the "turn and seek" and the cultic confession motif clusters in its presentation of the failings of Israel and the origins of the sect. The exile was thus the result of מעל sacrilege and warranted destruction. A *penitent movement* began later ("390 years" after the beginning of the exile; CD 1:5–8): they recognized their guilt (אשם) but did not know what to do. They sought God (דרש) but needed to be instructed in repentance (שוב) and the *secret things* (נסתרות; derived from a midrash on Deut 29:28 [Eng. 29:29]; Neh 9:14). Those atoned by God (CD 3:18–19; 4:6; 20:34) are defined as those who repent (4:2; 6:5; 8:16; 19:29) and *seek* God (דרש), and these activities are understood as study and interpretation (6:2–11). Those who remain firm in the last days follow the instruction of the Teacher and *confess* (התודה, mistakenly written התורה) their sins and God's just judgments

81. Ibid., 169; see further 166–70.

82. See the discussion of these passages by Werline, *Penitential Prayer*, 110–15 and 127–33.

(20:27–30; similar to communal confessions but not quoting from any one; cf. Dan 9:5, 7). Thus, this seems to be interpreting the שוב and דרש of Deut 4 and 30 as repentance/confession and study/interpretation, which Werline has shown to be a widely attested perspective in the late Second Temple period.[83]

Similarly, *Apocryphon of Jeremiah C*[b] (4Q387 frg. 1 5//4Q388a frg. 3 7) draws heavily on Lev 26 and Deuteronomic language to describe those who spurned God's statutes, forgot the festivals, profaned God's name and consecrated things, defiled the temple, and sacrificed to demons, resulting in the exile: God delivered them into the hand of their enemies, made the land desolate, and the land paid off its Sabbaths. Explicitly it interprets the sins leading to exile as deliberate sins such as in Num 15:30: "and you violated everything de[li]be[rately."[84]

The Means of Atonement

We need to consider, lastly, the means of atonement expressed in the Dead Sea Scrolls. With regard to matters of personal sin, we may be able to take our cue from CD 9:13–15a, concerning deliberate מעל: as with the scriptural precedent (Num 5:5–8), it requires confession in addition to remorse, restitution, and restitution offering. Another case of deliberate מעל (CD 15:4–5 //4Q270 frg. 6 i 21) mentions only confession and restitution. The purification ritual—in at least some cases—involves confession of sin (4Q512 frg. 28 1–4; frg. 15 i–16; frg. 34 3); one fragment refers also to burnt offerings and incense (frg. 29–32 8–9), but it is not possible to tell whether this is meant metaphorically. Some texts refer only to periods of demotion and/or fines. I infer from such data that the theoretical system underlying atonement practices attested in the Dead Sea Scrolls is essentially similar to Milgrom's hypothesis about the role of confession in Priestly cultic law, but based on distinctive exegesis and with sectarian characteristics.

Num 5	**Various Dead Sea Scrolls**
remorse	acceptance of discipline
confession	confession
restitution	penalty
offering	–if possible–

Taking a cue from both the penal code and the unique exegesis in CD 9:13–16 (so that restitution without a person to compensate goes to the priest; see above), I suggest that the penalties and fines serve in the community as means of restitu-

83. Ibid., 109–59. Besides *Jubilees* and some Qumran sectarian texts (esp. *Damascus Document*, *Rule of the Community*, and *Hodayot*) that explicitly link penitential prayer and interpretation (ibid., 158), Werline demonstrates the essential ideas in Dan 9 and Bar 1:15–3:8 as well as the Animal Apocalypse and Apocalypse of Weeks (*1 En.* 85–90; 93:1–10; 91:11–17).

84. Dimant, *Qumran Cave 4.XXI*, 176–79.

tion. The strong emphasis on acceptance of discipline in numerous texts (e.g., 4QD^{e} below) suggests that it was an essential element, perhaps corresponding to remorse. It is not clear whether confession would have been required for cases of individual inadvertent sin or only cases of deliberate sin. The situation with restitution offering is also unclear. It seems likely that sacrifice was eliminated from the equation only when a severe rupture with the temple occurred. In any case, confession is not merely added to take its place: confession already had a place in atoning certain deliberate sins. Also, there is a possible clue that "the disciplinary penalties … are in place of the atonement sacrifices of the future,"[85] since in the midst of the penal code in the *Damascus Document* is a reference to iniquity atoned by meal and sin-offerings when the Messiah of Aaron and Israel arise (CD 14:19//4QD^{a} frg. 10 i 13).

The expulsion ritual described at the end of the *Damascus Document* is a further piece of evidence toward the understanding of confession I have been suggesting.

> Heading: [And these are the re]gulations by wh[ich they will judge] all who are disciplined.
> Everyo[ne] who … shall come and *confess* it [make it known, ידיעהו] to the priest [o]verseer (4QD^{e} frg. 7 i 15–16 //4QD^{a} frg. 11)
> over the many, and he shall *freely accept his sentence*. As he (God) said through Moses concer[ning] the person who *sins inadvertently*, "let them bring his purification offering [a]nd his reparation offering" (cf. Lev 4:27–31; 5:14–19; Num 15:27–29).
> But concerning Israel, it is written "Let me go to the ends of [the] heavens, so that I will not smell the fragrance of your offerings" (Lev 26:31 + Deut 30:4).[86] And in another place it is written "to return to God with weeping and with fasting" (Joel 2:12?). And in [anoth]er plac[e], "rend your hearts and not your garments" (Joel 2:13).
> Everyone who rejects these judgments, in accordance with all the laws that are found in the Torah of Moses, shall not be reckoned among all the sons of his truth, for his soul abhors the disciplines of righteousness in rebellion. From the presence of the many he shall be sent away (cf. Num 15:30–31). (4QD^{a} frg. 11)

In the case of one who is disciplined for an infraction, if he confesses sin and accepts the discipline, it is treated as an inadvertent sin. No passage in the Torah

85. Baumgarten and Schwartz, "Damascus Document (CD)," 57 n. 213.

86. Literally, "I will not smell your pleasing odors." The latter half of this is from Lev 26:31, but the first part has no clear scriptural parallel. Joseph M. Baumgarten ("A 'Scriptural' Citation in 4Q Fragments of the Damascus Document," *JJS* 43 [1992]: 96) suggests that it loosely uses language from Deut 30:4. For an analogy to the negative consecutive clause, see Gen 16:10 (GKC §166a). Cf. *Pss. Sol.* 2:4, where a similar judgment is said by God in reaction to the sins of the people that parallel the three nets of Belial of CD 4:14ff.

corresponds to the first "quotation" (יביאו את חטתו ואת אשמו); rather, it seems intended to serve as a summary reference to the laws concerning inadvertent offenses by the individual: Lev 4:27–31; 5:14–19; Num 15:27–29. Leviticus 4 deals with cases for which the remedy is a purification offering (חטאת), whereas Lev 5:14–19 deals specifically with inadvertent sacrilege against *sancta* for which the remedy is restitution and a reparation offering (אשם). Numbers 15:27–29 also summarizes the case of inadvertent offenses that are remedied by purification offerings, but it is followed by the case of one who commits a deliberate offense, for which the person is cut off (15:30–31). It is this latter case of the one cut off because of deliberate offense that governs the reasoning of the rest of the passage: if one resists discipline, it is treated as deliberate sin, and the offender is banished, as according to Num 15:30–31.[87] The second quote combines Lev 26:31 with Deut 30:4, and its point is to contrast with the case of inadvertent sin: sacrifice is accepted for an inadvertent sin, *but* for Israel's sin that led to exile sacrifice does not atone; it requires humbling, accepting discipline, repentance, and confession. Reparation is mentioned, but this is understood to take the form of acceptance of discipline rather than sacrifice. The basis for this may be Lev 26:39–42, where the people make reparation in exile while the land lies desolate. The third and fourth quotes (from Joel 2:12–13) support the idea that repentance is required. Thus, the assumption of this passage is that all sin (even inadvertent sin) in the age of wrath is treated as potential deliberate sin in the light of the exile. Sacrifice alone cannot atone for the sin that led to the exile; rather, it requires repentance, confession, and acceptance of discipline. The requirements of both Deut 4; 30 and Lev 26 are merged in this passage.

A more important issue for the present argument is the matter of atonement as a central community function. The most prominent passage is at the beginning of the "manifesto" of the *Rule of the Community*, where the community is described as constituting a most holy sanctuary to "pay for sin by works of judgment and suffering affliction" and to "atone for the land" (1QS 8:1–10). The latter phrase is particularly distinctive, occurring in sectarian texts (1QS 8:1–10 [//4Q258 frg. 2 i 4; 4Q259 frg. 2 15]; 1QS 9:4; 1QSa 1:3; 4Q249g frg. 1–2 4; 4Q265 frg. 7 9) as well as *Jub*. 6:1–4 and 1QapGen 10:12–14 (cf. *1 En* 106:17). In a recent paper, Dorothy Peters highlighted the oddity that, although the phrase seems to become a technical term, there is no clear scriptural model.[88] The use of this

87. My explanation differs somewhat from the interpretation of Joseph M. Baumgarten, *Qumran Cave 4.XIII: The Damascus Document (4Q266–273)* (DJD XVIII; Oxford: Clarendon, 1996), 77. Baumgarten suggests that the implication of the first quote is that "the disciplinary penalty is to be accepted as atonement comparable to a sin offering. But then it is difficult to understand the meaning of the second quote; see also idem, "The Cave 4 Versions of the Qumran Penal Code," *JJS* 43 (1992): 268–76.

88. Dorothy M. Peters, "The Use of 'Atoning for the Land' at Qumran: A Trajectory of Progressive Differentiation between Insiders and Outsiders" (paper presented at the meeting of the

phrase seems to result from a particular midrash on Lev 26:40–43.[89] During the time of the exile, the people pay (רצה) for their sin by their banishment from the land so that the land can restore (רצה) its defiled Sabbaths. "Atoning for the land" would seem to be shorthand for an interpretation that the people's absence from the land is restitution for the sacrilege (מעל). The movements represented by these writings regarded that restitution to be incomplete, and moreover to be compounded by contemporary sacrilege of God's *sancta* (especially of the sanctuary, neglect of sacred times, and sexual sin). The movement glimpsed in the sectarian scrolls believed it had a temporary vicarious role to play. Exactly what activities of the community were seen as atoning is not completely clear: various statements suggest works of judgment and suffering affliction (1QS 8:1–4); study of Torah (8:15); prayer and perfection of way (9:4–5); works of thanksgiving (or works of law; 4QFlor frg. 1 i+21 2). Probably all of these can be grouped around the same constellation of motifs seen in the penitential prayers: שוב as repentance/humbling/confession and דרש as study and interpretation of Torah. However, I believe it is somewhat to miss the point to ask what specific activities atone for the land. Rather, it is their very existence as an eschatological community: the community itself, with all that it entails in its daily life, is a sanctuary.[90] It is in this regard, I would speculate, that daily prayers—both confession and praise—would find their significance.

Conclusion

This essay has sought evidence in the Dead Sea Scrolls of reflection on scriptural resources that could provide a theoretical basis for penitential prayer, in particular, in relation to Milgrom's theory of cultic אשם restitution. The attempt has been experimental and exploratory, but it does allow some partial and tentative conclusions. There do seem to be indications in the Dead Sea Scrolls of active reflection on the scriptural resources for penitential prayer. In addition to the "turn and seek" motif cluster, this includes the scriptural precedents for cultic confession in atoning for מעל sacrilege and goes beyond the extension of this model to the exile found in Lev 26. In fact, such reflection appears to be intimately related to central widespread features of distinctive community ideology and practice, including prayer. In the light of these observations, it seems likely that penitential prayer at Qumran should be viewed as playing an essential part in a system of atonement that normally/ideally would have included sacrifice. In the absence of sacrifice,

West Coast Study Group, Mayne Island, B.C., 22–24 October 2004).

89. In addition to the other evidence for the importance of this context in the Dead Sea Scrolls, see also the citation of Lev 26:43 in 4Q249l frg. 1 2–3; 4Q387 frg. 1 8 // 4Q389 frg. 6 2.

90. That is why, as noted above, disrespect for the community itself is treated as trespass on God's *sancta*.

the significance of penitential prayer broadened. This broadened theological significance does not, however, explain why penitential prayer was institutionalized in the first place.[91] This would seem to have to do with its role as an integral mechanism in cultic atonement.

91. See also Daniel K. Falk, "Qumran Prayer Texts and the Temple," in *Sapiential, Liturgical and Poetical Texts from Qumran* (ed. Daniel K. Falk, Florentino García Martínez, and Eileen M. Schuller; STDJ 35; Leiden: Brill, 2000), 106–26.

Repentance and the Qumran Covenant Ceremony

Russell C. D. Arnold

Introduction

It is widely understood that repentance played a significant role in the identity of the Qumran community. In fact, many of the key sectarian Qumran texts explicitly identify its members as those who repent. The *Damascus Document* applies the term שבי ישראל "repentant of Israel" repeatedly to the founding members of the community (CD 4:2; 6:5; 8:16; 19:29). In these cases the שבי ישראל are described as those who left Judah, turned aside from the way of the people, and dwelt in Damascus as God's elect. The members of the community are also frequently referred to as the שבי פשע "those who turn from transgression."[1] This phrase is drawn from Isa 59:20, in which God promises to send a redeemer to the שבי פשע.[2] These two designations call to mind the *Damascus Document*'s description of the history of the origins of the sect beginning with those who recognized their sinfulness but were left groping in the dark until God raised up for them a Teacher of Righteousness to lead them (CD 1:8–11). Since the broader community represented by the *Damascus Document* viewed its origins as a repentance movement, we expect to find that the notion of repentance played a significant role in the Qumran *yaḥad*'s covenant ceremony as described in the *Rule of the Community* (1QS) 1–6.[3] Before we can proceed into the discussion

1. CD 2:5; 20:17; 1QS 10:20; 1QH^a 6:24; 10:9; 14:6; 4Q400 frg. 1 16 ; 4Q512 frg. 70–71 2.

2. Bilhah Nitzan claims that the Qumran community associates their repentance with "the realization of the eschatological one" described by the biblical prophets ("Repentance in the Dead Sea Scrolls," in *The Dead Sea Scrolls after Fifty Years: A Comprehensive Assessment* [ed. Peter Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1999], 2:148).

3. These two texts (CD and 1QS) have served as the foundation for all studies of the nature of the Qumran community. However, despite the terminological and ideological similarities between them, they also present some clear discrepancies regarding social organization. For example, 1QS describes a strictly bounded and separated community and lacks any mention of women or family life or participation in the temple sacrifices. CD, in contrast, contains sections that prescribe regulations for those living in camps in various cities and towns throughout

of repentance in the covenant ceremony, we must begin to clarify what the term *repentance* signifies.

For a word of such importance in religious dialogue, the term repentance is remarkably plastic. At various times it is used as if it is equivalent to penitence, humbling oneself with remorse, or regret for one's sin. It can also indicate verbal confession, a plea for mercy or for forgiveness, the rejection of wicked ways, or a commitment to follow God or obey the law. Is repentance an action such as prayer or pleading for forgiveness, or is it an emotional response such as remorse or regret? Most religious leaders would likely argue that true repentance requires both an outward action and an inward emotion.

The biblical root most commonly associated with repentance, שוב, indicates a turning, engendering an image of journeying.[4] Such turning implies turning away from one thing and toward another. Most commonly in the Bible, people turn from evil ways, idols, wickedness, sin and the like and return to God. At

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the region and also presumes both the presence of women (7:6b–9a; 15:5–6; 16:10–12; 11:11; 12:1–2; 14:12–16) and participation in sacrifices (9:13–14; 11:17–21; 16:13; 4Q266 frg. 6 ii 3–4, 13). 1QS describes the sharing of property (1:11b; 3:2; 5:17, 19–20, 22), while CD implies private ownership (9:10b–16a; 13:15–16; 14:12–13). The two texts also present slightly different procedures for admission (1QS 6:13b–23; CD 15:5b–16:1a) and use different terminology for their leaders and for the group itself. For more on these differences, see Sidnie White Crawford, "Not according to Rule: Women, the Dead Sea Scrolls and Qumran," in *Emanuel: Studies in Hebrew Bible, Septuagint and Dead Sea Scrolls in Honor of Emanuel Tov* (ed. Shalom M. Paul, Robert A. Kraft, Lawrence H. Schiffman, and Weston W. Fields; VTSup 94; Leiden: Brill, 2003), 127–50; Charlotte Hempel, "Community Structures in the Dead Sea Scrolls: Admission, Organization, Disciplinary Procedures," in Flint and VanderKam, *Dead Sea Scrolls after Fifty Years*, 67–97; Hartmut Stegemann, "The Qumran Essenes—Local Members of the Main Jewish Union in Late Second Temple Times," in *The Madrid Qumran Congress: Proceedings of the International Congress on the Dead Sea Scrolls Madrid, 18–21 March, 1991* (ed. Julio Trebolle Barrera and Luis Vegas Montaner; 2 vols.; STDJ 11; Leiden: Brill, 1992), 1:83–166; Geza Vermes, *The Complete Dead Sea Scrolls in English* (New York: Penguin, 1997). Some scholars have explained these differences as a process of development within one community over time. For example, the Groningen hypothesis sees CD as representing an Essene community that served as the parent to the Qumran community described in 1QS; see Florentino García Martínez and Adam S. van der Woude, "A 'Gröningen' Hypothesis of Qumran Origins and Early History," *RevQ* 14 (1990): 521–41. Kruse and Regev have both argued for the reverse chronology: Colin G. Kruse, "Community Functionaries in the Rule of the Community and the *Damascus Document* (A Test of Chronological Relationships)," *RevQ* 10 (1981): 543–51; Eyal Regev, "The Yahad and the *Damascus Covenant*: Structure, Organization and Relationship," *RevQ* 82 (2003): 233–62. However, both texts have been dated initially to the beginning of the first century B.C.E. and show evidence of development in their various manuscripts, which indicates that they likely represent concurrent development of separate, although related, social realities. Unfortunately, the precise relationship between them and the degree and type of interaction between them remains somewhat unclear. Our focus here will be on the role of the covenant ceremony within the narrower community, the *yaḥad* from 1QS, which was centered at Qumran.

4. Joseph P. Healey, "Repentance," *ABD* 5:671–72.

Qumran we have similar repeated references to turning away from evil and toward the Torah of Moses or the covenant.

In some of these cases it remains ambiguous whether the evil that is to be rejected is some past behavior or a different path that lies ahead. When the focus is on the past sins (as in Ps 51; 1 Kgs 21:29), we find such repentance to be centered around remorse for past sins and associated with mourning practices such as humbling oneself, fasting, sackcloth, ashes, and torn garments. This seems to be the context for much penitential prayer that developed in the Second Temple period. If, alternatively, repentance indicates a decision to choose God's path instead of another path (one's own or Belial's), then the primary act being undertaken is one of commitment and a pledge of loyalty. This type of repentance is closely associated with the covenant-ceremony context found in Deut 27–30.

As much as possible, our discussions of repentance (and penitential prayer generally) should remain cognizant of these differences of perspective and emphasis. Indeed, there are instances in which our sources seem to mix these two together, but they are in fact fundamentally different motivations and thus one may be present where the other is absent. The basic question with respect to our discussion of repentance in the Qumran covenant ceremony remains: How do we understand the confession of past sin in a covenant ceremony emphasizing commitment to a new life? I propose that in such a case, the tone of the surrounding context must guide us.

Description of the Qumran Covenant Ceremony

The annual initiation and covenant ceremony, elaborately described in 1QS 1–6, was the central ritual in the life and identity of the *yaḥad*.[5] Through it, potential members were examined, and the rankings of current members were established

5. Although 1QS provides quite a bit of detail about this ceremony, it does not provide a complete account of the liturgy. In addition, there remains a debate whether 1QS 1–2 and 5–6 should be taken to represent one ceremony or two separate events, based on a number of terminological differences between them. See Stephen Pfann, "Essene Yearly Ritual Ceremony and the Baptism of Repentance," in *The Provo International Conference on the Dead Sea Scrolls* (ed. Donald W. Parry and Eugene Ulrich; STDJ 30; Leiden: Brill, 1999), 337–52. The difficulty is compounded by the redactional evidence that these two sections originated separately and were brought together. For issues of redaction, see Markus Bockmuehl, "Redaction and Ideology in the Rule of the Community (1QS/4QS)," *RevQ* 18 (1998): 541–60; Sarianna Metso, "The Redaction of the Community Rule," in *The Dead Sea Scrolls: Fifty Years after Their Discovery* (ed. Lawrence Schiffman, Emanuel Tov, and James VanderKam; Jerusalem: Israel Exploration Society, 2000), 377–84; idem, *The Textual Development of the Qumran Community Rule* (STDJ 21; Leiden: Brill, 1997). Although we will discuss some of these differences, the entire section will be treated as referring to one ceremony, albeit one that likely developed over time. For further discussion of the covenant connections of cols. 3–4, see Klaus Baltzer, *The Covenant Formulary in Old Testament, Jewish and Early Christian Writings* (trans. David E. Green; Oxford: Blackwell, 1971).

as the hierarchy that would govern the *yaḥad*'s communal life for the year to come. This ritual played a central role in delineating the boundaries strictly upheld by the *yaḥad* between righteousness and wickedness, light and darkness, and the lot of God and the lot of Belial. The concept of repentance, which is centered on the first stage of the initiation of prospective members, is employed to mark clearly the boundary between those who are inside (the repentant) and those who are outside (the wicked). Repentance had a more limited role within the ongoing life of the community, due in part to the community's deterministic worldview and expectation of perfection from its members.

The ceremony as outlined below has been divided into six main elements: preparation; entrance of new initiates; blessings and curses; entrance into the *serek*;[6] purification and instruction; and rebuke and dismissal. We shall see that the language of repentance is concentrated in the preparation phase, indicating that such repentance was to have taken place before beginning the official process of gaining membership.

Preparation

1. Initiate volunteers to join the *yaḥad* and is examined and instructed by the one appointed over "the many" (6:13–15)[7] or the *maskil* (1:1–15).
2. If accepted by "the many," he begins first year of instruction without turning over his property and with no access to the purity (6:15–17).
3. If accepted again, his second year of instruction consists of giving over property (which is not yet disbursed) and access to the purity but not the drink (6:18–21).
4. If accepted again, initiate eligible for full membership (6:21–23).

Entrance of New Initiates

5. Those entering cross over before God to do what God commands (1:16–17).
6. Priests and Levites bless the God of deliverance for deeds of truth (1:18–19).
7. Those crossing into the covenant say "Amen, Amen" (1:20).
8. Priests recount God's righteousness and announce mercy toward Israel (1:21–22).

6. The term *serek* is used here to designate full membership in the *yaḥad*.

7. All references here are from 1QS unless otherwise indicated.

9. Levites recount sins of Israel and transgression in dominion of Belial[8] (1:22–24).
10. Those crossing into covenant confess after them (1:24–2:1).[9]

Blessings and Curses[10]

11. Priests bless the men of the lot of God with adapted priestly blessing (2:1–4).[11]
12. Levites curse the men of the lot of Belial with negated priestly blessing (2:4–9).
13. Those crossing into covenant say "Amen, Amen" (2:10).
14. Priests and Levites add curse for those who enter insincerely (2:11–17).
15. Those entering answer after them "Amen, Amen" (2:18).

Entrance into the *serek* (i.e., full membership)[12]

16. Priests cross over into *serek* according to their spirit one after another (2:19–20).
17. Levites cross over after them (2:20).
18. All the people cross over third into the *serek* one after another (2:21–25; 6:22; 5:23).

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8. Bilhah Nitzan (following Jacob Licht) assumes that the ceremony would also have included the ungratefulness of the people, justice of the divine verdict, and punishment due to those who violate it, just as in Pss 105–106 and Neh 9. They were presumably not mentioned because the sect had nothing to add to the formulations there (*Qumran Prayer and Religious Poetry* [trans. Jonathan Chipman; STDJ 12; Leiden: Brill, 1994], 132.

9. This formulaic confession acknowledges the collective sinfulness and transgression of the people and their ancestors. The form of this confession shows similarities with Lev 16, 1 Kgs 8, Lev 26, and other texts associated with the penitential prayer tradition. The formula contains repetition of verbs describing sin (נעוינו פשענו חטאנו הרשענו) and an explicit connection with the sinfulness of the ancestors (אנו ואבותינו). Although fragmentary, it seems certain that the confession also included an assertion of God's justice in applying punishment on the people for breaking the covenant as well as thanksgiving for God having bestowed mercy on them.

10. The overall form of the liturgy recited as part of the ceremony (1:16–2:18) is dependent upon biblical traditions of covenant ceremonies, especially Deut 28–30.

11. Nitzan (*Qumran Prayer and Religious Poetry*, 134) claims that the use of the priestly blessing after the confession of sin indicates that they thought of the confession as corresponding to the sin offering offered in the temple before the recital of the priestly blessing. However, the context here is a covenant ceremony, not a *tamid* sacrifice or Day of Atonement (*m. Tamid* 5:1; 7:2; *m. Ta'an.* 4:1). Moreover, this is not formally a recital of the priestly blessing but rather a set of blessings and curses associated with the covenant.

12. The ranking of all members upon examination is to take place every year during the dominion of Belial. The ranking establishes the community's internal hierarchy that governs speaking in the assembly, eating, and obedience. One's rank cannot be altered either up or down, presumably until the ceremony the following year.

Purification and Instruction[13]

19. Someone who refuses to enter cannot access purification (2:25–3:6; 5:13–14).[14]
20. Purification is available for members of upright and humble spirit (3:6–12).
21. Members are instructed regarding the two spirits (3:13–4:26).

Rebuke and Dismissal

22. Members rebuke one another (5:24–6:1).
23. Rebukes spoken by the priest (4Q266 frg. 11 8).[15]
24. Rebuked recite blessing for God's righteous judgment (4Q266 frg. 11 9–15).
25. Dismissed member leaves and is cut off from contact (4Q266 frg. 11 15).

Repentance as Preparation

The preparation phase of the initiation process established what was expected of one who had chosen to enter the covenant of the *yaḥad* (1QS 1:1–15).[16] The primary requirement for someone to begin the process of initiation into the *yaḥad* was a two-stage process of turning. First, a person who offered himself to join the *yaḥad* was expected to "turn from all evil … and to separate from the congregation of the men of wickedness" (5:1–3).[17] Second, he was to return to the covenant (5:22), to the law of Moses (5:8),[18] and to the truth (6:15). Initiates who wanted to join the community offered themselves to "enter the covenant of God" (5:8), the

13. It remains somewhat unclear if initiates immediately gained access to the *mikva'ot* or if this was reserved for those who had completed one year of their probationary period and were being granted access to the waters of purification and the meal at the same time.

14. These texts indicate that refusal keeps someone outside the community and prohibits contact with him.

15. This description from a fragment of the *Damascus Document* from Cave 4 seems to elaborate on the practice described more generically in 1QS 5:24–6:1. Rebuke and dismissal of members who have failed to uphold the community's standards is also discussed in CD 20:1–8 and may be the setting for the list of rebukes in 4Q477.

16. Carol Newsom describes the rhetorical power of this section to establish the required intentions of potential members through the use of infinitives. The individual must come "in order to seek God … to do what is good … to love … to hate … to keep away … to cling … to conduct oneself" (*The Self as Symbolic Space: Constructing Identity and Community at Qumran* [STDJ 52; Leiden: Brill, 2004], 109).

17. See also 1QS 5:10–12 and 1:13–14 for other examples of turning from evil and from the men of darkness. Other similar phrases can be found in 1QS 5:1, 14; 4QpPs^{a} frg. 1–2 ii 2 and 4Q512 frg. 65 2, frg. 69 2.

18. 1QS 5:8; also CD 15:9, 12; 16:1, 4 and 4QMMT C22.

first step toward membership. These initiates were expected to have rejected the ways of wickedness and to have freely offered themselves[19] to perfect obedience to the laws of God,[20] with a total commitment of their strength, knowledge, and wealth for the benefit of the community (1:11–12).[21] 1QS 5:8 indicates that their commitment to obedience was enacted by taking on a binding oath.[22] Such an approach Nitzan characterizes as "repentance as a way of life."[23]

From these examples, we begin to see that the connotation of repentance at Qumran does not focus primarily on what has happened in the past and is not an expression of ongoing repentance for daily sins. Instead, such repentance represents a change in loyalty regarding the direction of one's life, turning from the path of wickedness (i.e., following the law as interpreted by the wicked priests in Jerusalem) to the path of righteousness (following the laws as interpreted by the *yaḥad*). In this case, the two possible ways are laid out ahead of the person,

19. This root נדב is used in both 1QS 1 and 5, although in different forms, to indicate those coming to inquire about joining the *yaḥad*. Bilhah Nitzan ("The Concept of the Covenant in Qumran Literature," in *Historical Perspectives from the Hasmoneans to Bar Kokhba in Light of the Dead Sea Scrolls* [ed. David Goodblatt, Avital Pinnick, and Daniel R. Schwartz; STDJ 37; Leiden: Brill, 2001], 85–104) cites Jacob Licht (*The Rule Scroll: A Scroll of the Wilderness of Judaea* [Hebrew] [Jerusalem: Bialik Institute, 1965], 192–93) as recommending that נדב here solves the dilemma of free will and predestination in the concept of the covenant because "it points toward the willing acceptance of a predestined fate by each of its members" (Nitzan, *Qumran Prayer and Religious Poetry,* 99). See also 1QS 9:24, which says, "and in all that befalls him he shall delight willingly." Ellen J. Christiansen describes the importance of the term נדב, "one who freely devotes himself," as the term of identity. It has a priestly cultic context of sacrifice and may refer to consecration. "Used in and by the community as a self designation it refers to a group of dedicated priests who through perfect lives are a sacrifice for God, like an atonement, they therefore see themselves to have both a special dedication and status" (*The Covenant in Judaism and Paul: A Study of Ritual Boundaries as Identity Markers* [AGJU 27; Leiden: Brill, 1995], 172 n. 120).

20. 1QS 5:2, 9 explicitly indicate that initiates are to follow the law as interpreted by the sons of Zadok, the priests, and the men of the *yaḥad*. Two of the manuscripts of the *Rule of the Community* from Cave 4 lack explicit reference to the sons of Zadok but retain reference to the interpretive authority of the men of the *yaḥad*. For more information about the differences between the Cave 1 and Cave 4 manuscripts, see Metso, *Textual Development*.

21. This exhortation is reminiscent of the threefold commitment in the Shema (Deut 6:5). Notice also the reference in 1QS 1:2 to heart and soul and the contrast between love and hate.

22. CD 15:12–13 also indicates that an oath was sworn when the candidate entered into the community. No oath is mentioned in 1QS 1, although it is possible to understand the liturgy of entrance, including the recital of confession, as essentially equivalent to the oath described here. The hymn of commitment in 1QS 10 may also be relevant here. Nitzan claims that, although oaths taken in the name of God carried the death penalty, the community allowed oaths taken by covenantal curses ("Repentance in the Dead Sea Scrolls," 152–53).

23. Ibid., 146–52.

and the turning is away from the wrong path to follow the right one.[24] Someone who refused to enter this covenant was to be cut off, and no members were to have any contact with him (1QS 2:25–3:2; 5:13–18). This language indicates that repentance was a boundary issue marking clearly the boundary between those who were inside (the repentant) and those who were outside (the wicked).[25] Key texts explicitly associate this with physical separation from the men of wickedness (5:1) or with loving the sons of light and hating the sons of darkness (1:9–10). No one who had not completed his repentance could be considered a member and participate in the rest of the ceremony. The fact that this language of repentance does not actually occur within the ceremony itself indicates that the repentance was to have taken place before one could participate in the ceremony. As such, the ceremony was a ritual enactment of the rite of passage (from darkness to light) that marked the transformation of one's social identity made possible by one's repentance.

Once the potential member's repentance was assured, he could be examined in preparation for each year's ceremony, to determine his level of participation in the ceremony and in the community for the next year (1QS 6:13–23).[26] During the first year, he received instruction in the laws of the community but had no

24. Just such a choice, between blessing and curse, life and death, is set before the children of Israel by Moses in Deut 11:26–28 and 30:19–20. Joshua gave the Israelites a similar choice between serving YHWH or serving the gods of the nations (Josh 24:14–15). The fact that both of these biblical examples also represent a covenant ceremony supports this understanding of the repentance required for Qumran's covenant ceremony.

25. Markus Bockmuehl discusses the boundary formed here in terms of the corporate dimension of salvation in "1QS and Salvation at Qumran," in *The Complexities of Second Temple Judaism* (vol. 1 of *Justification and Variegated Nomism*; ed. D. A. Carson, Peter T. O'Brien, and Mark A. Seifrid; WUNT 2/140; Tübingen: Mohr Siebeck; Grand Rapids: Baker, 2001), 388–94. Bockmuehl rightly indicates that the *yaḥad* did not identify itself as a replacement for Israel but rather as representative of Israel. This corresponds with the community's strong priestly self-identification and their prominent use of the Aaronic blessing from Num 6:24–26 within this ceremony.

26. The initial examination was undertaken by "the one appointed to lead the many" (האיש הפקוד ברואש הרבים). On each successive occasion for examination, the membership participated by casting lots to determine the outcome. There are two ways to understand the relationship between these stages of initiation and the ceremony. One possibility is that each year during their probationary period the initiates took part in the first two parts of the ceremony ("Entrance into the Covenant" and "Blessings and Curses"), as indicated by the designation "those crossing over." It is also possible that only those who had completed all three stages of initiation could participate as "those crossing over" and then also participated in the ranking by being entered into the *serek*. In either case, participation in the ceremony ritually confirmed each person's standing within the community, first among the new initiates and then among the full members.

access to the "purity of the many,"[27] nor could his property be mixed with that of the community. After participating in the ceremony a second time, after a year of instruction, he joined in the water of purification and the meal and turned over his property, although it still could not be used by the community. However, he was still restricted from touching the drink of the community (6:18–21). Only after completion of his second year of training was he accepted as a full member of the *yaḥad* and could be written and ranked in the *serek* (6:21–23).

The Covenant Ceremony and Penitential Prayer

If repentance was expected of potential initiates prior to their participation in the covenant ceremony, what role did repentance have in the ceremony itself? One way to begin to answer the question is to discuss the ceremony in relation to the tradition of penitential prayer in the Second Temple period.

The Qumran covenant ceremony began with the initiates crossing over into the covenant before God (1QS 1:16–2:1). While they were being taken across, the priests and Levites together offered blessings to God for deliverance and for God's deeds of truth.[28] The ones crossing over responded to these blessings with "Amen, Amen." The cycle of address repeated when the priests, alone this time, recounted the righteousness of God and announced mercy toward Israel. The Levites followed with a recounting of the sins of Israel, especially within the dominion of Belial. Then the initiates responded with a confession.

Rodney Werline, in his *Penitential Prayer in Second Temple Judaism*, highlights the formal similarities between the liturgy of this ceremony and the penitential prayer tradition.[29] Both include a recounting of God's past deliverance, Israel's history of sin and transgressions, and a confession of sins.[30] Werline

27. This is often taken to refer to the pure meal of the community, as in Vermes, *Complete Dead Sea Scrolls*, but it may also imply access to the water purification of the *mikva'ot*. See also A. R. C. Leaney, *The Rule of Qumran and Its Meaning: Introduction, Translation and Commentary* (NTL; Philadelphia: Westminster, 1966); Pfann, "Essene Yearly Ritual Ceremony," 337–52. Christiansen (*Covenant in Judaism and Paul*, 176 n. 136) recommends that the primary connotation of exclusion from the purity of the many related instead to grades of membership or to ranking of members, in other words, the disciplinary means by which the community kept its standards high and its boundaries narrow. Clearly this exclusion had consequences that affected a person's ranking in the community, but these were more likely consequences of the exclusion.

28. Pfann ("Essene Yearly Ritual Ceremony," 337–52) proposed specific psalms to correlate with the themes of the recitals of the priests and Levites, here and in the cycle that follows. For this blessing of the God of salvation, he proposed Ps 103 and 4QBarkhi Nafshi. For the recounting of God's mighty acts, he proposed Pss 104–105 and 136, and for the sins of Israel, Ps 106.

29. Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998), 135–38.

30. For examples of this threefold structure, see Neh 9; Pss 78; 105; 106; Isa 63:7–64:12.

concludes that 1QS followed the form of the penitential prayer tradition but transformed it into a liturgy by dividing up the parts to different participants in the ritual.[31] However, the use of the structure of penitential prayers for this liturgy does not necessarily mean that we should understand it as an example of penitential prayer. There are a number of characteristics of this liturgy that differentiate it from the penitential prayer tradition.

Werline defines penitential prayer as "a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance."[32] Despite the formal similarities with elements of the penitential prayer tradition mentioned above, the Qumran covenant ceremony lacks two, and perhaps three,[33] of the necessary qualities to fulfill this definition. It neither directly addresses God nor petitions for forgiveness. Werline indicates, therefore, that the Qumran covenant ceremony belongs to a different, unnamed genre. Since we have moved into a different genre, we must rely more heavily on the surrounding context to understand the function of this liturgy. As with any text, and especially with a text describing a liturgical practice, proper understanding must take into account the entire act within the entire context. We cannot assume that, since it shares many elements with penitential prayers, it also represents an act of repentance and an implicit plea for forgiveness.

Unlike the main postexilic penitential prayers associated with covenant renewal (Neh 9; Ezra 9; 1 Kgs 8), Qumran's ceremony for the initiation of new members into the covenant contained no explicit petitions by, or on behalf of, the new initiates.[34] In fact, as noted above, the initiation ceremony as described in 1QS contained no direct address to God. Even the recitation of the confession of sin by those entering the community lacked petition for forgiveness. The new initiates confessed:

נעוינו [פ]שענו [חט]אנו הרשענו אנו [א]בותינו מלפנינו בהלכתנו [...] אמת וצדיק
[...]משפטו בנו ובאבותינ[ו] ורחמי חסדו גמל עלינו מעולם ועד עולם

> We have strayed, we have [trans]gressed, we [have sin]ned. We have done wickedly, we and our [fa]thers before us, by walking [contrary to] truth and

31. A similar transformation of this prayer tradition may be found in *T. Mos.* 3:4–13.

32. Rodney A. Werline, "Defining Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), xv.

33. I shall discuss whether the liturgy is best described as an act of repentance below.

34. Following Eileen Schuller, "Petitionary Prayer and the Religion of Qumran," in *Religion in the Dead Sea Scrolls* (ed. John J. Collins and Robert A. Kugler; SDSSRL; Grand Rapids: Eerdmans, 2000), 42 n. 43, in contrast to Werline, *Penitential Prayer,* 137.

> righteousness. […] His judgment against us and against ou[r] fathers. He has granted us the mercies of his kindness from eternity to eternity. (1QS 1:24–2:1)

This formulaic confession acknowledges the collective sinfulness and transgression of the people and their ancestors. The form of this confession shows similarities with Lev 16, 1 Kgs 8, Lev 26, and other texts associated with the penitential prayer tradition.[35] The formula contains repetition of verbs describing sin (נעוינו פשענו חטאנו הרשענו) and an explicit connection with the sinfulness of the ancestors (אנו ואבותינו). Although fragmentary, it is clear that the confession also included an assertion of God's justice in applying punishment on the people for breaking the covenant, as well as thanksgiving for God having bestowed mercy on them.

It differs from the "traditional" examples of penitential prayer, however, in that it contains no petition that God would hear their confession and grant forgiveness.[36] Instead it focuses on giving thanks for God's having granted them mercy in the past. In fact, this liturgy contains three parts that correspond to three of the four stages in the Deuteronomic cycle: sin–punishment–repentance–deliverance. The Qumran confession omits reference to the stage of repentance, removing any association between human cries for deliverance and God's kindness and deliverance.[37] This omission is striking when contrasted with other prominent Second Temple period penitential prayers, such as Neh 9, Dan 9, and Bar 1, which repeatedly emphasize the importance of repentance and pleas for deliverance in leading God to restore the people and their place in the covenant.[38] The Qumran practice of confession is further distinguished from the tradition of penitential prayer when we acknowledge the lack of evidence at Qumran for fasting or mourning practices, such as sackcloth and ashes, which are so commonly associated with repentance elsewhere.[39]

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35. See, e.g., Ps 106:6 and Dan 9:5.

36. Similarly, CD 20:28–30 places the recital of a traditional confession formula in a long list of the behaviors of those "going and coming according to the Torah, who hear the voice of the Teacher." Such people, who do all these things properly, receive rewards, including atonement. These rewards are not granted because God heard their cry but seemingly because they acted as required of them.

37. Notice that I am making a distinction here between confession, which is the act of reciting a formula that claims responsibility for sins, and repentance, which has various connotations, but, within the Deuteronomic cycle and the penitential prayer tradition, its main element includes pleas for forgiveness and deliverance. Although these are often complementary, this phase of the ceremony employed the confession while leaving out any such pleas for forgiveness.

38. See Daniel K. Falk, *Daily, Sabbath, and Festival Prayers* (STDJ 27; Leiden: Brill, 1998), 222.

39. The practice of fasting is only mentioned at Qumran in connection with the Day of Atonement. Joel 2:12–13 is quoted in 4Q266 frg. 11, in connection with the acceptance of com-

Eileen Schuller describes the blessings and curses section of the ceremony as nearly petition, based on the presence of jussive verbs.[40] However, the jussive verbs used here are required by the formal dependence upon the original priestly blessing in Num 6:24–26.[41] In fact, the reason for the inclusion of such a set of blessings can be explained by the self-described significance of the priestly blessing, that the act of reciting this blessing is one of the priests' obligations. According to Num 6:27, if the priests recited the blessing properly, invoking God's name over the people, then God would bless them. From the point of view of the priestly Qumran community, the very act of pronouncing these blessings and curses was required of them. By doing so, they fulfilled their priestly role as descendents of Aaron, serving Israel.

The Qumran community seems to have avoided the use of petition in the ceremony and removed pleas for forgiveness from the confession because of its deterministic view of the world. Schuller asks, "What is the point of petitioning the God of knowledge who has determined all things from the beginning?"[42] In such a view, deliverance could not be requested by the people but was determined by God's preordained plan. The community believed that God's deliverance would come to the sons of light, but they knew not when it would happen and had no influence on it.

A profound example of such Qumran determinism, found in 1QH^a 9:21–26, provides evidence that the community recognized the inability of confession to

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munity discipline. For a complete list of activities associated with penitential prayers, see Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999), 39. None of these is present in Qumran's covenant ceremony (except the assembled group).

40. Schuller, "Petitionary Prayer," 42.

41. It is also worth noting that there is no blessing here assuring the new member that God would hear him when he calls. In contrast, the wicked are assured that God would not heed them when they call. Nitzan indicates that the curse is based on the sectarian blessing, but it seems as if it could have emerged based on the biblical blessing, since the curse against God hearing and granting forgiveness opposes the graciousness and mercy from the biblical blessing more directly than the wisdom and knowledge from the sectarian blessing (*Qumran Prayer and Religious Poetry*, 151).

42. Schuller, "Petitionary Prayer," 37. In fact, the majority of the prayers found at Qumran are not petitions but rather hymns or songs of praise (e.g., *Hodayot, Barkhi Nafshi Hymns* [4Q434–438], *The Community Rule* [1QS 10–11], and *Songs of the Sabbath Sacrifice*). Those prayers that are more explicitly petitionary in nature, such as *Words of the Luminaries* and *Festival Prayers*, are typically considered pre-Qumranic or nonsectarian in origin. Although it seems likely that these nonsectarian prayers were in fact incorporated into the *yaḥad*'s liturgical practice, one can explain this use as an adoption by the *yaḥad* of what seem to be traditional prayers associated with the temple service in Jerusalem.

truly affect God and to precipitate deliverance or restoration.[43] The author reflects on the low nature of his human form, describing his depraved and sinful condition. He recognizes that he dwells in a realm of wickedness. Then he asks:

> מה אדבר בלא נודע ואשמיעה בלא סופר הכול חקוק לפניכה בחרת זכרון לכול קצי נצח ותקופות בכול מועדיהם ולוא נסתרו ולא נעדרו מלפניכה ומה יספר אנוש חטאתו ומה יוכיח על עוונותיו ומה ישיב עיל על משפט הצדק
>
> What can I say without it having been known, or (what can) I declare without it having been recorded? (For) everything is inscribed before you on an engraved memorial for all everlasting ages and numerous cycles of endless years with all their appointed times. They are not hidden nor withdrawn from before you. What shall a man recount concerning his sin? And what shall he plead concerning his iniquity? And how shall he respond concerning righteous judgment?

The author's questions reflect on the essential issue at hand here: Is God affected by prayers of repentance? If, as this author claims, everything is already written on God's engraved memorial, then it seems, contrary to the penitential prayer tradition and Lev 26, that confession of sin is of little effect for addressing this situation and delivering the righteous from affliction and exile. God has established words to be spoken, but the proper words are words of praise, not confession. God's great goodness would deliver some from these judgments, but this was not because they cried out in prayer. In such a deterministic view, petition of any kind was of no effect.[44]

Meaning of Confession

If the recital of the confession formula was not meant to move God to action on behalf of the community, then what could it have meant to the *yaḥad*? As with many ritual practices, this confession had meaning on a few different levels. First

43. In discussing *Hodayot*, Werline (*Penitential Prayer,* 143) indicates that penitence continued to function as an integral part of community practice and community thought. However, we should be careful to avoid assuming that a prayer that describes the huge moral gap between God and humans is an act of penitence. *Hodayot*, in emphasizing the insignificance of humanity before God, is at the same time affirming that all is in God's hands and that our petitions are irrelevant. Werline is right to say that they taught that penitence was a drastic transformation from sin to righteousness, but that transformation was essentially associated with the entrance into the covenant.

44. In rabbinic descriptions of prayer, petition is not allowed for an event that has already happened. For example, a person cannot pray, upon approaching the village and seeing smoke coming from his neighborhood, that his house not be on fire (*m. Ber*. 9:3). For Qumran, all events fell in the category of things that had already happened; that is, they were written in God's divine plan.

of all, new initiates who had come to join the *yaḥad* recited the formulaic confession not as an act of repentance (which had already been completed during the preparation phase described above) but as a public declaration of this act. In this context, it was not a somber act of remorse but a proud declaration of their identity as the sons of light, that is, as those who had repented of transgressions.[45] The prominence of the sectarian boundary between "us" and "them" turned the initiates' confession of sin into proof of their election and superiority. This was further reinforced by the blessings bestowed on the sons of God and curses sent on the sons of Belial that immediately followed the confession.

The similarity of the covenant-ceremony confession in 1QS with the confession in CD 20:28–30 also associates the recital of the confession with the original founding of the community. According to this section of the *Damascus Document*, those who went out to separate from the holy city at the time of the rebellion of Israel were those who held fast to the covenant and listened to the Teacher, confessing before God and submitting to the statutes and judgments of God. Given the association between this confession and the community's founders, each person who stood before the community and applied for entrance into the covenant by reciting a confession was following in the way of the founders.

Given the community's identity as a holy, priestly community, we must consider the significance of Lev 26 on its view of confession. Leviticus 26:39–42 indicates that confession of the people's sins and the sins of their fathers is required for restoration from exile and for the atonement of the land. The community seems to have taken the requirement for confession in Lev 26:40 seriously, although the penitential language of remorse and humbling oneself that surrounds it in verses 39 and 41 is absent from 1QS.[46] In this way, the confession was not an act of repentance but rather an act of obedience to the Torah of Moses, which required confession by the chosen remnant for atonement of the land to take place. Even here, however, I suspect that they did not believe their confession actually brought about the atonement.[47] Rather, they considered it their duty as priests to act on behalf of the land and on behalf of the rest of the people.

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45. See Falk, *Daily, Sabbath, and Festival Prayers*, 222–23.

46. In Lev 26, as elsewhere in the penitential prayer tradition, כנע indicates a very physical humbling oneself after sinning. However, at Qumran, the term for humility, ענוה, should be understood as humility before God's laws, i.e., obedience.

47. This is also true of those cases that discuss both repentance and purification or atonement. For example, 1QS 3:1–6 actually indicates that one who rejects the righteous judgments is unable to repent and therefore is prohibited access to the counsel of the community. 1QS 3:6 goes on to say the "spirit of true counsel" is one of the things that brings atonement. Here, membership in the community and access to the instruction in God's true counsel mediate between repentance and atonement.

Those Who Walk in Perfection

Once they became full members of the *yaḥad* and were written into the *serek*, the expectations for members of the Qumran community went beyond the demand for basic righteousness and a commitment to obedience to God's law, and as a result limited the relevance of repentance. They were expected to be perfect. In fact, the word תמים is used ten times in 1QS and five times in CD to describe the members of the community. The legal system of the community enforced this demand by expelling anyone who deliberately or defiantly transgressed the laws of Moses or the laws of the community.[48]

Numbers 15:30 forms the basis for this tradition about defiance, as one who sins defiantly (ביד רמה) against Yhwh is to be cut off from among the people. 1QS takes this quite literally and contains four references to such deliberate sin. The first two of these disqualify anyone who sins deliberately from entering the community. 1QS 5:12 describes the men of wickedness outside the community who have sinfully erred concerning the hidden things and acted defiantly concerning the revealed things. The revealed things are the laws of Moses, and in this case the people have no excuse for violating them by willfully rejecting the true interpretation of these laws upheld by the members of the *yaḥad*. Judgment, vengeance, and wrath will come on them so that they will leave no remnant.

The text continues with the requirements for those who had accepted the community's interpretation of the laws. 1QS 8:16–18 reads:

> וכול איש מאנשי היחד ברית היחד אשר יסור מכול המצוה דבר ביד רמה אל יגע בטהרת אנשי הקודש ואל ידע בכול עצתם עד אשר יזכו מעשיו מכול עול להלך בתמים דרך
>
> And any of the men of the community, the covenant of the community, who deliberately [ביד רמה] turns aside from all that is commanded, in any matter whatsoever, he shall not touch the pure meal of the men of holiness and shall not know any of their counsel until his deeds are purified from all wickedness to walk in perfection of way.

Any deliberate sin, even against the laws of the community not specified in the Torah, prohibited someone from participating in the initiation process until

48. For more on the distinctions between deliberate and inadvertent sins at Qumran, see Aharon Shemesh, "Expulsion and Exclusion in the Community Rule and the Damascus Document," *DSD* 9 (2002): 44–74. Nitzan discusses the concept drawn from Lev 4–5 and developed in rabbinic literature (e.g., *b. Yoma* 86b) that confession of sin transforms deliberate sin into inadvertent sin so that it can be atoned for through sacrifice ("Repentance in the Dead Sea Scrolls," 154–55). However, despite the centrality of the confession in 1QS, nothing here indicates that it would keep one who sinned deliberately from being expelled. None of the penalties from the penal codes indicate any effect of repentance or confession.

it was clear that he was able to walk in perfection. He was excluded from the meal and also from the counsel. Once the community judged that this had taken place, the member could begin the process to finally be admitted to the ranks of the community.[49]

1QS 8:20 goes on to describe the perfection that was required of one who had begun the process to enter the council of holiness. If he deliberately (ביד רמה), deceitfully, or negligently (through laziness or idleness) transgressed the Torah of Moses in any way, "[he] shall be sent away from the council of the community and shall return no more" (1QS 8:22–23).[50] Even his material goods became off limits and had to be separated from those of the community. If, however, he had acted inadvertently, he was still removed from his position as a member of the community, and it was as if he returned to the beginning of the initiation process. He was excluded from the meal and endured two years without access to the community's counsel. If in that time his way became perfect, he could be restored upon the completion of two years, provided he committed no further inadvertent sin (8:24–27).[51]

These texts show that perfection was not just an ideal to be strived for by the members of the community; it was the law. Conversely, one who chose to defy the laws of the community showed himself to be one of the sons of darkness. Given the strong determinism of the community, the members must have concluded that he never should have been counted among them. He was also denied any possibility for return, as no amount of repentance could change his lot.

The person's intention was relevant in determining whether he could ever return, but in either case the person lost his status as a member of the community. Thus, those who remained members of the community could truthfully be called "the men of perfect holiness."[52] 1QS 9:3–4 continues: "When those in Israel (live)

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49. This is similar to the requirements of 1QS 3:5–6. One who rejected the judgments of God was excluded from instruction and counsel, and since it is the spirit of true counsel that brings atonement, he was thereby considered unclean. Compare also 7:19. In that case one who trembled before the authority of the community and either turned away from this behavior or returned to the community after having left underwent a two-year process of reinstatement that mirrored that of new initiates.

50. This final phrase of judgment is a double entendre. It indicates that the sinner is expelled from the community, never to return, but it also means that it is impossible for him to repent (שוב) again. Such a person has shown himself to be a member of the lot of Belial. For him, there is no hope.

51. 1QS 9:1 also says that one who sinned inadvertently, even once, returned to initiate status. He had to go through the two-year penance to be restored to purity. However, one who sinned deliberately was expelled never to return (Lawrence Schiffman, *Sectarian Law in the Dead Sea Scrolls* [BJS 33; Chico, Calif.: Scholars Press, 1983], 170–71). See also CD 20:1–8.

52. 1QS 8:20. Notice also that David is called "perfect in all his ways" in 11QPs^{a} 27:3 despite his adultery with Bathsheba. CD 5:1–6 explains that David is cleared of transgressing Moses' command that the king must not multiply for himself wives (Deut 17:17) because

according to all these norms in order to establish a spirit of holiness for eternal truth, they shall atone for guilt of wickedness and for sinful unfaithfulness." Given that this description of atonement follows the description that emphasized the perfection of the members, who did not sin even once (even inadvertently), we should imagine that they are not atoning for their own transgressions. Instead, the community's perfect holiness allows them to act as the true priesthood that atones for the sin of the people and for the land itself.[53]

Conclusion

Our study of the Qumran covenant ceremony has concluded that, although the Qumran community employed forms prominent in the penitential prayer tradition, not only was the ceremony itself not precisely a penitential prayer, but it actually functioned most meaningfully as a rite of passage establishing the strict boundaries of the community. Repentance, in the sense of turning toward the true path of God's laws, was an essential requirement of potential initiates and provided identity for the whole community. The community's belief that both God's actions and humanity's actions had already been determined according to the divine plan, however, dissociated the people's repentance from the arrival of God's mercy and deliverance. Similarly, purification and atonement were dependent primarily on membership in the community, although it is clear that repentance was required for that membership. Inside the *yaḥad*, since the members were expected to maintain a life of perfection, the need for repentance was also essentially obviated. The *yaḥad*'s penal codes show that an individual's sin revoked one's membership either permanently or temporarily and returned him to the status of either an outsider or a prospective initiate, thus maintaining a community of those who walked in perfection.

"David did not read the sealed book of the Torah that was in the ark because it was not opened in Israel from the death of Eleazar and Joshua and the elders who served the Ashteroth. It was hidden (and not) revealed until Zadok arose." Such an explanation justifies the significant role of David as a prophet for the community.

53. Lev 16 indicates that the high priest made a sin offering for himself first and then for the people, then confessed their sins over the goat. The confession was not for himself, but for them.

The *Words of the Luminaries* and Penitential Prayer in Second Temple Times

Esther G. Chazon

Introduction

The purpose of this paper is to "unpack the significance of the *Words of the Luminaries* (*Dibre Hame'orot*) for the origin and development of penitential prayer." This was the task set before me by the steering committee of the SBL Penitential Prayer Consultation in their invitation, and I thank my colleagues for this opportunity.

To begin, we need a working definition of penitential prayer. The definition put forward by Rodney Werline at the first Penitential Prayer Consultation (2003) suits our purpose: "Penitential prayer is a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance."[1] The last phrase, "as an act of repentance," is Werline's single major addition to the definition he offered in his 1998 monograph, *Penitential Prayer in Second Temple Judaism*.[2] This addition is useful because it helps distinguish between prayers of this genre (e.g., Ezra 9:6–15; Neh 1:5–11; 9:5–37; Dan 9:4–19; Bar 1:15–3:18; the Prayer of Azariah in LXX Dan 3:2[25]–22[45]) and other prayers with penitential motifs that might belong

1. Rodney A. Werline, "Defining Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), xv.

2. Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution (*SBLEJL 13; Atlanta: Scholars Press, 1998), 2. While accepting Werline's 2003 definition as a "useful starting point," Daniel K. Falk draws attention to some of its limitations, for example, its exclusion of some penitential material and inclusion of purely literary texts that may not have been "prayed prayers" (personal communication and his article in the present volume, "Biblical Inspiration for Penitential Prayer in the Dead Sea Scrolls," 139–40). On the latter point, the evidence from Qumran now lends credence to an actual religious practice behind the literary penitential prayers.

to a different genre. At the same time, Werline's updated definition still enables us to identify and study the penitential motifs in various types of prayers.

The *Words of the Luminaries* is usually categorized as penitential prayer,[3] and, whether or not all scholars ultimately agree with that generic classification, its strong penitential component is indisputable. That component is in evidence in its six petitionary prayers, one for each of the regular days of the week, which, together with a special Sabbath hymn, comprise this weekly liturgy from Qumran.

In my assessment, the *Words of the Luminaries* stands at the crossroads of a new development in the history of penitential prayer. It marks the adaptation of this genre to routine, daily communal prayer, not to the exclusion of the older penitential genre but rather in addition to it. This adaptation is part of the larger phenomenon of liturgical regularization in the *Words of the Luminaries*, which makes these ancient (ca. mid-second century B.C.E.) prayers for the days of the week so important for understanding the origin and early history of Jewish liturgy.

For the development of penitential prayer, the *Words of the Luminaries* is significant in three principal ways. First, this liturgy transmits and offers insights into the strands of tradition within penitential prayer: shared motifs, patterns of biblical use, liturgical formulae, and a certain religious outlook and self-understanding. This common ground of tradition is outlined in the first part of my study. Second, the *Words of the Luminaries* opens a window onto the adaptation of penitential prayer to a daily liturgy recited regularly by a community of worshipers. The second part of this study examines how this liturgy diverges from the classic exemplars of penitential prayer and how these divergences suit the new function. Third, the adaptation of penitential prayer has implications for the origin of the genre, its practice throughout the Second Temple period, and its emergence as a religious institution. These will be drawn out in the conclusion.

Penitential Elements in the *Words of the Luminaries*

Each of the six weekday prayers in the *Words of the Luminaries* opens with the words, "Remember, Adonai," followed by historical recollections that lead up to a petition for spiritual or physical deliverance; a benediction and "Amen, Amen" response then close the prayer. In form, these weekday prayers are most similar to those penitential prayers that, like Neh 9:5–37, contain a lengthy recitation of Israel's history as a prelude to the defining confession of sin and dual requests for forgiveness and relief from distress. The *Words of the Luminaries* employs penitential motifs in some but not all of its historical sections as well as in both types of petitions: those for forgiveness, repentance, and knowledge said on Sunday

3. E.g., Werline, *Penitential Prayer,* 1; Mark J. Boda, *Praying the Tradition: The Origin and Use of Tradition in Nehemiah 9* (BZAW 277; Berlin: de Gruyter, 1999), 27 and appendix A, 198–202.

and Thursday; and those for physical deliverance said on Tuesday, Wednesday, and Friday.[4]

The penitential elements in this liturgy are presented visually in the table below. I have based the numbered list of elements upon the emerging scholarly consensus concerning the characteristic features of penitential prayer (the numbers run from most to least typical elements and do not reflect their order in the prayers). Special attention has been paid to Rodney Werline's widely acclaimed definition of penitential prayer and the lists of generally agreed upon features in Mark Boda's *Praying the Tradition* and Samuel Balentine's review of research for the 2003 SBL Penitential Prayer Consultation.[5]

The table tallies the distinctive penitential elements found in the weekday prayers (the Monday prayer is too fragmentary to tabulate; the Sabbath prayer is not included because it belongs to a different genre). The Sunday and Thursday prayers have been grouped together because, unlike the other weekday supplications for deliverance from physical distress, these two prayers petition for spiritual needs.

Penitential Elements in the Words of the Luminaries

Penitential Prayers (Communal)	Sun.	Thurs.	Tues.	Wed.	Fri.
1. Confession of sin	+	+	+	+	+
a. use of verb ידה in reflexive					
b. "we have sinned" formula					
c. repentance	+	+			+
2. Petition for forgiveness	+	+	implied	implied	implied
3. Supplication	+	+	+	+	+
a. depiction of troubles					+
b. petition to ease troubles/ punishment	spiritual	spiritual	+	+	+
4. Declaration of God's justice					+
5. Recital of history	+	+	+	+	+
a. sins of Israel (and humanity)	+	+		+	+
b. God's merciful acts (e.g., covenant, saving, wonders)	+	+	+	+	+
c. petition to "remember"	+	+	+	+	+

4. Falk views the distinction between these two types of petitions less sharply ("Biblical Inspiration," 143–43; idem, *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* [STDJ 27; Leiden: Brill, 1998], 69–72).

5. Boda, *Praying the Tradition*, 28–29; Samuel E. Balentine, "'I Was Ready to Be Sought Out by Those Who Did Not Ask,'" in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:1–20. Cf. Richard J. Bautch, *Developments in Genre between Post-exilic Penitential Prayers and the Psalms of Communal Lament* (SBLAcBib 7; Atlanta: Society of Biblical Literature, 2003).

6. Patterns of biblical reuse	+	+	+	+	+
a. Deuteronomic covenant and theology	+	+	+	+	+
b. Levitical covenant (Lev 26)					+

The table shows the extent to which the weekday liturgy in the *Words in the Luminaries* in general, and the Friday prayer in particular, exhibit the distinctive features of penitential prayer. The extant prayers all have some form of confession of sin (past and/or present), some request for forgiveness (explicit or implicit), and a petition for relief from the present difficulty. Not only do they share with penitential prayer a similar religious outlook on human responsibility for hardship and its amelioration (through repentance) that is rooted in Deuteronomistic sin–punishment–return theology, but they also consciously cite some of the same key biblical passages, most notably the covenant in Deut 28–30. Another striking similarity is the historical recital (introduced throughout by "Remember, Adonai"; cf. Lam 5:1; Neh 1:8; Ps 106:45) that elaborates primarily upon God's wondrous and merciful acts and secondarily upon Israel's sins and rebelliousness.[6] Although this "contrast motif" and the terms for rebellion (מרה, מעל) are typical of penitential prayer,[7] there is a shift in emphasis here away from an overriding concern with sin, which will prove to be indicative of how this weekly liturgy diverges from the chief exemplars of the genre.[8] But before we explore the differences, it is important to note the additional, quite impressive penitential elements in the Friday prayer. These include its intertextual use of Lev 26 together with Deut 30, its standard formula for the proclamation of divine justice, and more motifs in common with biblical penitential prayers (e.g., recalling that God "did not abandon" his people and petitioning to "look upon our affliction" and "deliver us").

The employment of a standard formula for proclaiming divine justice in the Friday prayer[9] draws attention to its absence in the other weekday prayers as well as to the glaring omission in this liturgy of the classic confessional formula, "we have sinned," and of the distinctive term for confession, the reflexive *hitpa'el* form

6. Whereas the first theme runs consistently throughout the weekday prayers, the second occurs in many but not all passages. For example, it is in the beginning of Sunday's historical prologue (frg. 8) but not in its continuation (frg. 6–frg. 4 5); it is in the Wednesday petition but not in that prayer's historical prologue.

7. See Boda's list of elements of penitential prayer (*Praying the Tradition*, 28) and his appendix B: "Common Vocabulary among Penitential Prayer" (ibid., 203–4).

8. See below and also Bautch, *Developments in Genre,* 171.

9. "To you, God, is righteousness, for you have done all these things" (לכה אתה אדוני הצדקה כיא אתה עשיתה את כול אלה, 4Q504 frg. 1–2 vi 3–4). For this formula, see Dan 9:7 and 1QH 8:26 [16:9]; cf. Dan 9:14; Neh 9:33; Tob 3:2; Bar 2:9; LXX Dan 3:4 [27].

of ידה.[10] These omissions are compatible with the shift, noted above, away from sin as the dominant theme of these prayers.

What, then, is the main focus of these prayers, and what role do the penitential elements play within them? The petitionary section lies at the heart of each weekday prayer; it is the climax to which the historical remembrances build and is, with one exception (i.e., a historical epilogue on Thursday), followed only by the formal concluding benediction and "Amen, Amen" response. Significantly, it is at center stage that we find the highest concentration of penitential elements: as part of the petitions for forgiveness, repentance, and knowledge said on Sunday and Thursday; and as the justification for the petitions for physical deliverance said on the other weekdays. Nevertheless, the sequence of requests in the petitions (on Sunday, Thursday, Friday) and the recapitulation in the concluding benediction (preserved for Sunday, Tuesday, Friday) indicate that confession and forgiveness, however important as the first step in a process of rehabilitation, are not the prayers' *raison d'être* but rather play a facilitating role. The ultimate request, on Sundays and Thursdays, is for spiritual strength to walk in God's ways and to obey his law/Torah; on the other days, it is to attain deliverance from difficult straits. Although a similar progression takes place in some of the classic penitential prayers (compare especially Neh 9:5–37 and Dan 9:4–19 to the latter, Ps 51 to the former), the *Words of the Luminaries* leverages the materials differently and creates a less guilt-ridden, more confident mood. We might say that it shifts the balance away from the confession of sin just as penitential prayer itself shifted the balance away from lament and onto confession.

Penitential Prayer with a Difference

In the course of identifying its correspondences with penitential prayer, we uncovered a number of points of divergence in the *Words of the Luminaries* such as the absence of the technical term for confession and of the standard confessional formula, the single proclamation of divine justice (on Friday), the secondary emphasis on sin in the historical recollections, and the facilitating role

10. The classic confessional formula consists of one or more verbs expressing culpability in the first person: "we have sinned/committed iniquity/acted wickedly." For the biblical examples, see 1 Kgs 8:47; Ps 106:6; Neh 1:6; 9:33; Dan 9:5, 15; cf. Ezra 9:10. The closest linguistic parallel in the *Words of the Luminaries* is in the Friday prayer—"We too have wearied God with our iniquity"—but in the very next lines the worshipers declare that they have already paid for their sin (4Q504 frg. 1–2 v 19–vi 6; on this passage, see below). Concerning the term התודה ("confess"), Falk ("Biblical Inspiration," 142) and Schuller ("Penitential Prayer in Second Temple Judaism: A Research Survey," 13–14 in the present volume) point out that it typically occurs in the narrative introductions to biblical and noncanonical penitential prayers (Ezra 10:1; Neh 9:2–3; Dan 9:4, 20; also Bar 1:14) but rarely in the body of those prayers, Neh 1:6 presenting a seminal occurrence.

accorded confession in the petitions. To fill out the picture, I will first illustrate how the shift in emphasis away from sin is accomplished by reinterpreting and recontextualizing shared traditions and then consider this work's major adaptation of the penitential prayer genre to a new liturgical function.

The shared traditions I will examine revolve around the liturgical reuse of the Levitical and Deuteronomic covenant passages (Lev 26; Deut 28–30) commonly found in penitential prayer. These are given a fresh expression in the Thursday and Friday prayers. Friday's historical prologue grafts the divine promise of repentance in exile from Deut 30:1–2 onto a reworked quotation of Lev 26:44–45, which appeals to the historical realization of God's biblical promise neither to abhor nor to utterly destroy his exiled people. Both the intertextual use and updating (to Second Temple times) of these two biblical passages and their application to justify a contemporary petition for national deliverance find precedents in postexilic penitential prayers (e.g., Ezra 9:14; Neh 9:31; LXX Dan 3:11 [34]; 3 Macc 6:15).[11] What is striking here is that Lev 26 is the primary source and that it is transformed toward the end of the historical prologue, right before the petition, into an unusually bold claim by the worshipers:

> Now, today, we have humbled our heart, expiated our iniquity and the iniquity of our forefathers (committed) in our unfaithfulness and in our walking contrarily. We did not despise your trials nor our soul your blows so as to break your covenant in all the distress of our soul. (4Q504 frg. 1–2 vi 4–8)

This declaration is more brazen than the comparable claim to a humble spirit voiced in some of the penitential prayers, most notably in the Prayer of Azariah (LXX Dan 3:16 [39]).[12] The self-understanding exhibited here is a step removed from the guilt-racked conscience typical of penitential prayer; the attitude is more confident, less abject and lowly. Perhaps, then, it is no accident that the headings of the weekday prayers contain no prescriptions for fasting, prostration, or other penitential acts.

These prayers also offer new interpretations of the Levitical and Deuteronomic covenant curses that cut in a similar direction. The Friday prayer presents the current troubles as trials and tribulations in a manner quite foreign to early penitential prayers, although the motif itself is popular elsewhere in biblical and

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11. Boda (*Praying the Tradition,* 66–67) links these two verses in Ezra-Nehemiah more closely with Ezek 20. On the combination of the priestly and Deuteronomic streams of tradition in the penitential prayers, see Boda, *Praying the Tradition* 72–73; idem, "Confession as Theological Expression: Ideological Origins of Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:21–50.

12. John J. Collins (*Daniel* [Hermeneia; Minneapolis: Fortress, 1993], 201) compares LXX Ps 50 (51):19. Both passages employ the same Greek roots. For the requirement of a humble heart, see also the version of Solomon's prayer in 2 Chr 7:14.

postbiblical literature.[13] This new interpretation is consistent with our author's reframing of the Deuteronomic covenant, its statutes and curses, as discipline. Such a recontextualization clearly occurs in the historical epilogue that follows Thursday's petition for forgiveness, deliverance from sin, and knowledge of Torah. The epilogue puts the Deuteronomic covenant curses (severe illness, hunger and thirst, pestilence and the sword, as in Deut 28:59, 48, 21) into the context of an overriding declaration of God's election and discipline of Israel as a firstborn son that quotes Exod 4:22 and Deut 8:5. The passage (4Q504 frg. 1–2 iii 3–14) makes it explicitly clear that God poured out his anger on Israel and brought the covenant curses upon them because they are his chosen people whom he disciplines as a father disciplines a son. James Kugel has shown that this exegetical motif of "firstborn by dint of discipline" was well known in Second Temple times, and he tracks it in our text, the *Prayer of Enosh* (4Q369), Ben Sira, *Psalms of Solomon*, and *Liber antiquitatum biblicarum*.[14] It is, however, *a*typical of penitential prayer. In the *Words of the Luminaries* (on Sunday as well as Thursday), this discipline motif is juxtaposed with a typically penitential retribution motif, which it supplements and reinterprets rather than supplants. The troubles facing Israel are indeed punishment for its sins, but God sends them out of his fatherly love, and their ultimate purpose is the moral and spiritual betterment of his sons, the chosen people.

This concern and religious outlook is in keeping with this liturgy's strong sapiential component and its balancing of penitential and sapiential motifs. In fact, the theme of knowledge is central to the Sunday and Thursday prayers, whose petitions for spiritual fortitude alternate with and complement the petitions for physical deliverance said on other weekdays; still, the latter are not totally devoid of sapiential language.[15]

We have already seen above that the Sunday and Thursday prayers are essentially petitions for the ability to fulfill God's law or Torah and that their penitential elements basically play a facilitating role. Specifically, the petitions said on those days move from an initial request for forgiveness of past sins to the worshipers' plea for God's help in avoiding future sins through his strengthening their hearts and enlightening them in his Torah. Concomitantly, the historical recollections

13. See Jacob Licht, *Testing in the Hebrew Scriptures and in Post-biblical Judaism* [Hebrew] (Jerusalem: Magnes, 1973).

14. James Kugel, "4Q369 'Prayer of Enosh' and Ancient Biblical Interpretation," *DSD* 5 (1998): 119–48. Kugel (148) suggests identifying this part of 4Q369 as a "Prayer concerning God and Israel."

15. For instance, the motif of knowledge finds a natural home in the Wednesday prayer, whose historical prologue recounts the giving of the law at Horeb and whose petition appeals to God's forgiveness of Israel for their disobedience, even though God "gave them a heart [to understand] … and [eyes] to see and ear[s to listen]" (4Q504 frg. 7 13–16 + 18 1–3; the words are restored on the basis of Deut 29:3 and Ezek 12:1). Cf. the end of the Tuesday prayer, 4Q504 frg. 5 ii 5–8.

tied to these petitions also heavily feature sapiential motifs and stress the acquisition of human understanding of the divine commandments for the purpose of doing God's bidding.[16]

Here the *Words of the Luminaries* has combined two genres: penitential prayer and the set liturgical pattern identified by Moshe Weinfeld as petitions for knowledge, repentance, and forgiveness.[17] More precisely, our author has pressed the petitions for forgiveness, repentance, and knowledge into the literary form of penitential prayer. Not only has he supplemented this liturgical pattern with a recitation of history, the latter being a characteristic feature of penitential prayer, but he has also taken care to infuse the historical recollections with sapiential motifs that link up with the petition for knowledge and aid in Torah observance. If Weinfeld is correct that this liturgical pattern arose in a situation of repentance, then perhaps our author assimilated it to penitential prayer because of the similar *Sitz im Leben*. In any event, an additional factor—the dynamic growth of the liturgical tradition—appears to be exerting its influence here. The Second Temple sources clearly show that this liturgical pattern was very popular and was already being incorporated into prayers of different types (e.g., Ps 119; Ps 155; 2 Macc 1:1–6). A similar process may now be in evidence for penitential prayer, as I suggest in my conclusion.

Finally, we arrive at the most significant, and arguably our author's most radical, innovation in the genre of penitential prayer. This is the adaptation of penitential prayer to a new liturgical function and setting in *daily*, communal worship. The prayer titles that specify the day of the week on which each prayer was to be recited are the most obvious, objective marker of this application. The other differences noted above between this liturgy and the chief exemplars of penitential prayer, whether in biblical use or in the relative prominence of confessional elements, also suit a tempering of the penitential mode of prayer to accommodate everyday needs and an ongoing situation.[18]

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16. See, e.g., 4Q504 frg. 8 5, frg. 6 3–4, frg. 4 4 for the Sunday prayer and 4Q504 frg. 1–2 ii 10, 17 for Thursday (cf. also 4Q504 18 2–3 in the Wednesday prayer and 4Q504 frg. 5 ii 8 on Tuesday). Quantitatively, the sapiential motifs outweigh the penitential motifs in the Sunday prayer, both in the historical prologue and in the petition. They are more evenly balanced in Thursday's historical sections (if we count the discipline motif noted above in 4Q504 frg. 1–2 iii), but Thursday's petition does devote more space to its penitential component.

17. Moshe Weinfeld, "Prayers for Knowledge, Repentance, and Forgiveness in the 'Eighteen Benedictions'—Qumran Parallels, Biblical Antecedents, and Basic Characteristics" [Hebrew], *Tarbiz* 48 (1979): 186–200.

18. Eileen Schuller ("Penitential Prayer," 14) and Judith Newman (personal communication, December 2004) suggest that these significant changes, including in social setting, may well constitute a transformation into a different genre rather than a mere inner-generic adaptation.

Implications and Conclusion

The weekday prayers in the *Words of the Luminaries* have implications for three major issues in the study of penitential prayer: (1) the origin of the genre; (2) its development throughout the Second Temple period; and (3) its institutionalization.

Penitential prayer emerged at the very beginning of the Second Temple period, centuries before the *Words of the Luminaries* was composed; therefore, this text can shed light only indirectly on the question of origin. Yet the ease with which this liturgy combines penitential prayer with the liturgical pattern of petitions for knowledge, repentance, and forgiveness would seem to affirm proposals for the origin of both prayer-types in a setting of repentance.[19] On the other hand, these weekday prayers bear no trace of a covenant-renewal ceremony per se, the *Sitz im Leben* most often suggested for penitential prayer, and in some ways they seem incompatible with such a life setting.

The second conclusion devolves from the essential similarity with penitential prayer in form, content, and biblical reuse that I outlined in the first part of this study. These correspondences indicate that the *Words of the Luminaries* drew upon a well-established tradition of penitential prayer. Moreover, the author's use of this genre as the basis for a fixed weekly liturgy appears to attest an influential and vibrant contemporary practice of penitential prayer in the second century B.C.E. Such a practice would also lie behind the literary penitential prayers composed in Aramaic, Hebrew, and Greek during the second–first centuries B.C.E.

The third conclusion concerns the institutionalization of penitential prayer and its relationship to the institutionalization of Jewish liturgy. Today scholars generally agree that penitential prayer had, by the postexilic period, become a religious institution, that is, an accepted practice with fixed times and rituals, including the basic form and essential content for the ritual script.[20] To undertake what Samuel Balentine has called the difficult task of "tracing the institutionalization of penitential prayer in the intertestamental period and in Rabbinic literature,"[21] it will be helpful to differentiate between three different categories of fixed times: daily, annual, and habitual. The last term, "habitual," refers to the regular implementation of penitential prayer whenever an immanent threat endangered the community, in the words of its later trajectory in the rabbinic

19. See Weinfeld, "Prayers for Knowledge," for this origin of the liturgical pattern identified by him and Balentine, "I Was Ready," 8–10, for the proposals for the *Sitz im Leben* of penitential prayer, including a critique of its proposed origin in covenant-renewal settings.

20. Werline, *Penitential Prayer,* 3, 73; Balentine, "I Was Ready," 9–10. For describing liturgical developments in Second Temple Judaism, I have opted for the term "accepted" rather than the terms "prescribed" and "required" used by other scholars, since practice would have been "prescribed" only where there was an authoritative leader or body such as the Qumran community council (the *rabbim*) or the rabbinic synod at Yavneh.

21. Balentine, "I Was Ready," 12.

fast-day liturgy, "for every trouble encountered by the public" (*m. Taʿan.* 3:3–8). Although we usually refer to such occasions as *ad hoc,* in considering the institutionalization of penitential prayer it is important to remember that the sources attest the frequency of both the situations of acute distress and this regular liturgical response.

A number of texts locate penitential prayers within the celebration of Israel's annual festivals. In most cases, as in Bar 1:1–3:8, both the holiday on which the prayer was to be said and the reason for the connection to that holiday remain obscure (an obvious exception is the liturgy for the Day of Atonement in the *Festival Prayers* from Qumran). Nevertheless, the phenomenon itself is amply attested and, therefore, is duly noted here as annual penitential prayer. Indeed, the establishment of penitential prayers for certain yearly festivals and as the regular program for every kind of public emergency may well have laid the groundwork for the appropriation of penitential prayer in the weekday liturgy of the *Words of the Luminaries* and beyond.

The *Words of the Luminaries* is one of only a handful of daily liturgies that have survived from the Second Temple period, and it is virtually the only collection of daily prayers that resemble penitential prayer. Yet its sterling example of how penitential prayer was pressed into the service of a new religious practice of daily petition for ongoing needs is a harbinger of future developments. It points the way to the inclusion of penitential elements (the intermediate petitions for knowledge, repentance, forgiveness, and redemption) in the Eighteen Benedictions, the daily liturgy institutionalized by the rabbis after the temple's destruction in 70 C.E. At the same time that this new avenue of worship was opening up, however, the older genres, including lament and penitential prayer, continued to function both in the late Second Temple period and in the wake of the temple's destruction.[22] Penitential prayer, in both its classical and newer forms, thus left a permanent mark on Jewish liturgical practice and religious experience.

22. See Adele Berlin, "Qumran Laments and the Study of Lament Literature" in *Liturgical Perspectives: Prayer and Poetry in Light of the Dead Sea Scrolls, Proceedings of the Fifth International Symposium of the Orion Center, 19–23 January, 2000* (ed. Esther G. Chazon with the collaboration of Ruth A. Clements and Avital Pinnick; STDJ 48; Leiden: Brill, 2003), 1–17; and the penitential fast-day liturgy in *m. Taʿan.* 2:1–5 for occasions of acute distress. The Byzantine period saw the emergence of a daily *taḥanun* (supplication) liturgy as well as a penitential liturgy for the Rosh Hashanah–Yom Kippur period and liturgical poems of lamentation (*kinot*) commemorating the temple's destruction.

Traditional and Atypical Motifs in Penitential Prayers from Qumran

Bilhah Nitzan

Introduction

The Dead Sea Scrolls include several penitential prayers and penitential motifs in other genres. Among these are sectarian and nonsectarian compositions. Most of the penitential motifs in the Qumran literature relate to Deuteronomic or priestly traditions of repentance that became typical of penitential compositions of Second Temple Judaism in form and content, including allusions to Ps 51 and other biblical texts.[1] Most of these motifs have to do with confession of sins, rehearsal of sins, justification of the punishment, plea for forgiveness and deliverance, and supplication for preventing further iniquities. However, particular circumstances—individual or communal, historical or ideological—shape specific characteristics of the prayers. These specific and atypical expressions are important for following the affiliation of the origin of a prayer. As penitential motifs are found in distinctively sectarian compositions as well as various other types of compositions with no evident sectarian features, including "apocryphal" and "parabiblical" works, examination of atypical penitential motifs in addition to the general content of a composition may give insight to its ideological and historical origin. Moreover, in cases where similar patterns of this kind of data are accumulated from several compositions, these may point to distinct streams of tradition in Second Temple Judaism. The purpose of this essay is to explore such phenomena.

During the postexilic period, repentance became an essential tradition even in cases of the suffering of the righteous, such as in the prayers of Tob 3 and the Prayer of Azariah, and took the place of lament, which was a traditional motif

1. See Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Scholars Press, 1998).

in prayers of the First Temple period.[2] In the Qumran community, repentance became the most important obligation of its members (1QS 1:1–2; 5:1, 7–10; CD 15:6–10, 12; 16:1, 4–5).[3] The covenant of their obligation was defined as a ברית תשובה, "a covenant of repentance" (CD 19:16), and self-designations of its members include שבי פשע, "those who repent" (1QS 10:20; CD 2:5; 20:17; 1QH^a 10 [2]:9;[4] 14 [6]:6; 6 [14]:24); שבי המדבר, "the penitents of the desert" (4QpPs^a 3:1); השבים לתורה, "those who return to the Torah" (4QpPs^a 2:2–3); and שבי ישראל, "the penitents of Israel" (CD 8:16; 19:29). Their specific outlook with regard to repentance, as reflected in their halakic interpretation of the Torah, influenced their polemical stance toward other Jewish circles that did not accept their regulations. In addition, the deterministic outlook held by the community strengthened its members during the afflictions caused by those who objected to their specific observance of the Torah, by which they defined their covenant with God. Therefore, it is of interest to explore the influence of their ideology on their expressions of repentance in prayers and other texts. Another set of prayers from Qumran appears in the "apocryphal" and "parabiblical" compositions. A number of such works include expressions of individual or communal Jewish repentance without displaying typical sectarian motifs. Such cases may, then, represent common Jewish traditions of penitence. However, when these texts deviate from traditional penitential motifs, they may testify to singular tendencies that emerged from among the diverse Jewish society of the Second Temple period, whether in particular presectarian groups or not. The fact that such texts were included within the Qumran library might have been due to the interest of the community in the penitential theme, its historical development, or the importance of these texts for individuals and the public in general.

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2. See Claus Westermann, "Struktur and Geschichte der Klage im Alten Testament," *ZAW* 66 (1954): 44–80; Mark J. Boda, "From Complaint to Contrition: Peering through the Liturgical Window of Jer. 14.1–15.4," *ZAW* 113 (2001): 186–97; idem, "The Priceless Gain of Penitence: From Communal Lament to Penitential Prayer in the 'Exilic' Liturgy of Israel," *HBT* 25 (2003): 51–75.

3. Bilhah Nitzan, "Repentance in the Dead Sea Scrolls," in *The Dead Sea Scrolls after Fifty Years* (ed. Peter W. Flint and James C. VanderKam; 2 vols.; Leiden: Brill, 1999), 2:145–70; idem, "Repentance," *EDSS* 2:757–60.

4. The numeral references in square brackets represent the edition of the *Thanksgiving Scroll* (1QH^a) by Eleazar Sukenik (*Otsar ha-megilot ha-genuzot* [prepared by Nahman Avigad; Jerusalem: Magnes, 1954]; idem, *The Dead Sea Scrolls of the Hebrew University* [Jerusalem: Magnes, 1955]). But the order of this scroll was reconstructed by Hartmut Stegemann ("The Reconstruction of the Cave 1 Hodayot Scroll," in *The Dead Sea Scrolls: Fifty Years after Their Discovery* [ed. Lawrence H. Shiffman, Emanuel Tov, and James C. VanderKam; Jerusalem: Israel Exploration Society and the Shrine of the Book, Israel Museum, 2000], 272–84), and Émile Puech ("Quelques aspects de la restauration du Rouleau des Hymns [1QH]," *JJS* 39 [1988]: 38–55). This reconstruction has been accepted and will be followed.

For distinguishing the typical and atypical motifs of penitence I shall summarize the basic biblical laws of repentance, which became traditional in prayers and other compositions of the Second Temple period.

The Main Motifs of the Biblical Penitential Laws

The priestly law of Num 5:5–7 states:

> איש או אשה כי יעשו מכל חטאת האדם למעל מעל בה' ואשמה הנפש ההיא
> והתודו את חטאתם אשר עשו והשיב את אשמו

> When a man or woman commits any wrong toward a fellow man, thus breaking faith with the Lord, and that person realizes his guilt, he shall confess the wrong that he has done. He shall make restitution.[5]

The parallel law of Lev 5:1–6 details four matters of guilt for which a person is to confess and bring a guilt offering (אשם) when he becomes aware of the offense. These are cases of polluting the sanctuary and not fulfilling an oath.[6] The purpose of these laws is to reduce the gravity of a nonexpiable wanton sin to an inadvertency expiable by confession and sacrifice.[7]

The law of repentance in Lev 26, following the warning of curses for violating the commandments of the Lord, does not mention the guilt offering but only the confession alone. The Deuteronomic laws of repentance in Deut 4:29–30 and 30:1–3 also do not mention guilt offering but emphasize repentance with all one's heart and soul:

> ובקשתם … את ה' אלהיך ומצאת כי תדרשנו בכל לבבך ובכל נפשך. בצר לך
> ומצאוך כל הדברים האלה באחרית הימים ושבת עד ה' אלהיך ושמעת בקלו

> You will seek … the Lord your God, and you will find him if you search after him with all your heart and soul. In your distress … in time to come you will return to the Lord your God and heed him. (Deut 4:29–30)

> והשבת אל לבבך … ושבת עד ה' אלהיך ושמעת בקלו ככל אשר אנכי מצוך היום
> אתה ובניך בכל לבבך ובכל נפשך ושב ה' אלוהיך את שבותך ורחמך

> If you take … to heart … and you return to the Lord your God, and you and your children obey him with all your heart and soul, just as I am commanding

5. The English translation here follows that of *The New JPS Translation according to the Traditional Hebrew Text* (Philadelphia: Jewish Publication Society, 1988).

6. See Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary* (AB 3; New York: Doubleday, 1991), 299–301.

7. Ibid., 1042.

> you today, then the Lord your God will restore your fortunes and have compassion on you. (Deut 30:1–3)

The traditional formulation of repentance in postbiblical texts follows the terminology of these laws, using the Hebrew words מעל and אשמה for guilt; the Hebrew verbs דרש, בקש, and מצא for the search after God; the Hebrew root שוב for the returning to God; and the adverbial Hebrew idiom בכל לב ובכל נפש for the entirety of the repentance. The responsiveness of God to the repentance of persons is formulated by the Hebrew verb רחם and by canceling the punishment. The Hebrew root שוב may be used ambiguously both for the repentance of humans and for the responsiveness of God. Werline has examined the usage of these and other traditional elements in biblical and some postbiblical prayers.[8]

Additional biblical terms and phrases that characterize traditional penitential texts include, *inter alia*, the Hebrew passive form of the verb כנע ("humble"), which is used to express the change in the behavior of a sinner after repentance, following Lev 26:41 and many cases in 2 Chronicles;[9] phrases used in the penitential Ps 51; the covenantal promise of God to the ancestors of Israel (following the prayer of Moses in Exod 32:13; Deut 9:27; see also Lev 26:42); the Deuteronomic appellation to God ה' … שמר הברית והחסד לאהביו ולשמרי מצותיו ("God … who keeps the covenant and steadfast love with those who love him and keep his commandments") used in Deut 7:9; Dan 9:4; Neh 1:5; 9:32; and 1 Kgs 8:23 (= 2 Chr 6:14). The authors of penitential prayers drew on these resources for phrases with which they could express their religious feelings.

Biblical Motifs of Penitence in Qumran Prayers

Werline has surveyed the usage of the main biblical penitential motifs in some of the sectarian texts from Qumran (*Damascus Document, Rule of the Community, Thanksgiving Scroll*) and the *Words of the Luminaries*.[10] There are some other texts from Qumran to be considered as well—among them individual and communal prayers—that variously reflect use of traditional and atypical characteristics of penitence in the Second Temple period. The following discussion will overlap somewhat with Werline's discussion but also include other relevant works.

The Thanksgiving Scroll (1QH^a 8 [16])[11]

The *Thanksgiving Scroll* is a distinctively sectarian work, and its psalms reflect a sectarian outlook on many subjects, including repentance. The content of the

8. See above, n. 1.
9. See 2 Chr 7:14; 12:6–7; 33:13, 23; 34:27; and 1 Kgs 21:29.
10. Werline, *Penitential Prayer*, 126–46, 147–59.
11. See above, n. 4.

psalm in 1QH[a] 8 [16] is mainly penitential. The poet prays for forgiveness of his iniquities (8:15 [16:6]), thanks God for his grace (8:13–14, 25–26 [16:8–9, 16–17]), and hopes that God will keep him from stumbling in further iniquities (8:24 [16:15]). Throughout this prayer he alludes to biblical phrases regarding the necessity of repentance and God's forgiving nature. However, these are integrated within a sectarian deterministic ideology. The poet alludes to Deut 10:20 and 11:13 in informing his intention of "clinging to the truth of your covenant, serving you in truth and a perfect heart, and loving your name" (8:16 [16:7]).[12] This intention and even his ability to pray he attributes, however, to his consciousness that he has been chosen by God for this mission: "I know that in [your] wil[l] for man you have multiplied [his] in[heritance … to walk in your] truth" (line 13 [16:4]).[13] The poet declares God just, alluding to Dan 9:7 and Jer 14:22: "you alone possess righteousness, for you have done al[l these things]" (8:18 [16:9]). The declaration of God as just in this instance does not refer precisely to a punishment on account of iniquities, as commonly in penitential prayers, but rather concerns God's mercy and grace in dealing with the poet by the spirit of his compassion (lines 17–18 [16:8–9]) and the poet's knowledge that God has recorded his spirit as righteous (8:19 [16:10]). The knowledge that his election was divinely determined gives the poet the strength to purify his hands[14] in accordance with God's will and to abhor every work of injustice (8:19–20 [16:10–11]). While asking God to prevent him from stumbling in iniquities, he explains that "[in perfect heart] he repented, knowing that yo[u are merciful] and gracious, [sl]ow in anger and abounding in steadfast love and faithfulness, forgiving iniquity and [transgression to his lovers], and moved to pity upon […] and those who keep [your] precept[ts], turning to you with faith and with perfect heart" (8:25–26 [16:16–17]), alluding to Exod 34:6–7 (see also Jonah 4:2 and 2 Chr 19:9).[15] Although the poet is conscious that, as a man who has sinned he should repent, he attributes his repentance to his election by God for being a righteous person. This deterministic idea appears also in 1QH[a] 4 [17]:17–19, 21–22, accompanied by biblical phrases of repentance. Thus, these thanksgiving psalms represent typical sectarian penitential prayers.

12. The English translation follows that of Donald W. Parry and Emanuel Tov, eds., *Poetic and Liturgical Texts* (vol. 5 of *The Dead Sea Scrolls Reader*; 6 vols.; Leiden: Brill, 2005). I follow this translation in further quotations of the Dead Sea Scrolls, except for some corrections.

13. The reconstruction follows 1QH[a] 6 [14]:19; cf. line 13. See Jacob Licht, *The Thanksgiving Scroll: A Scroll from the Wilderness of Judaea* [Hebrew] (Jerusalem: The Bialik Institute, 1957), 202.

14. The Hebrew verb used here is להבר, which alludes to Ps 24:4, cf. Ps 18:21. See Licht, *The Thanksgiving Scroll*, 203.

15. See ibid., 205.

The *Words of the Luminaries* (4QDibHam)

The text of the *Words of the Luminaries* (4QDibHam), preserved in two manuscripts (4Q504, 506),[16] is a series of weekly liturgical communal prayers. The sequential order of the prayers over the days of the week was restored by Esther Chazon.[17] The prayers for Sunday to Friday are communal supplications based on remembrances, progressing day by day through distinct periods from the creation of humanity to the postexilic period in historical sequence. The prayer for the Sabbath is instead a hymn. Penitential motifs survive in the prayers for Sunday (4Q504 frg. 4 5–13 + 4Q506 frg. 131–132 11–14),[18] for Wednesday (4Q504 frg. 7 10–15), for Thursday (4Q504 frg. 1–2 ii), and for Friday (4Q504 frg. 1–2 v–vi). A survey of the contents and wording of these motifs is important for considering the origin of these prayers.

The preserved penitential elements in the prayer for Sunday are expressed within the supplications following recollection of the paternal concern of God to the children of Israel during the exodus, even their disciplinary punishments (4Q504 frg. 6 15–16). The penitential supplications themselves appear in 4Q504 fragment 4. These are traditional supplications such as: "redeem us and [please] forgive our iniquities and si[ns]" (line 7) and "circumcise the foreskin of [our heart, and do not stiffen][19] our n[ec]k any more. Strengthen our heart to do [… to] walk in your ways" (lines 11–13). Chazon states rightly that these latter phrases of the commandments of Deut 10:16 and Josh 1:7; 23:6 are transformed into supplication.[20]

The supplications for Wednesday in 4Q504 fragment 7 follow the remembrance of the Sinai covenant (4Q504 frg. 3 ii). Although they are very fragmentary, one may suggest that it is in light of "the [wond]ers" that God "has done" (line 2) that the worshipers petition God: "[no]thing [shall be im]possible for you" (line 7), for "your mercy" (line 11),[21] "[wh]ich you forgave [our fathers …] who

16. Maurice Baillet, who published the *editio princeps* of this text, suggested that the manuscript 4Q505 is a copy of this text (*Qumrân grotte 4.III [4Q482–4Q520]* [DJD VII; Oxford: Clarendon, 1982], 168–70). Florentino García Martínez doubts that 4Q505 is a third copy of *Words of the Luminaries* and claims that it belongs rather to 4Q509 *Festival Prayers* ("Review of Qumran Grotte 4. III, 4Q482–4Q520, by M. Baillet," *JSJ* 15 [1984]: 157–64). Daniel K. Falk accepted this suggestion. See his *Daily, Sabbath, and Festival Prayers in the Dead Sea Scrolls* (STDJ 27; Leiden: Brill, 1998), 59–61, 175–77.

17. Esther G. Chazon, "A Liturgical Document from Qumran and Its Implications: 'Words of the Luminaries' (4QDibHam)" [Hebrew] (Ph.D. diss., Jerusalem: The Hebrew University, 1991).

18. Ibid., 140, 164–69. The numeration of the lines follows that of Baillet and Chazon.

19. The restoration follows that of Chazon, "A Liturgical Document," 167.

20. Ibid.

21. The numeration of the lines of the text in the edition of Parry and Emanuel, *Poetic and Liturgical Texts*, is not identical with that of Baillet and Chazon, which I follow.

rebelled [against your command]" (lines 13–14). Further on there are some references to their rebellion, alluding to Deut 29:3: "You [ga]ve them a heart[to know], but they tested you and found you [… eyes] to see and ear[s to hear, but] they did n[ot] trust" (frg. 7 15–20, restored according to frg. 18 2–4).[22] The content of this prayer may be tersely alluding to the prayer of Neh 9:10–26, which emphasizes God's forgiveness to the children of Israel despite their repeated rebellion against his commandments.

The supplications for Thursday in 4Q504 frg. 1–2 ii open with the same aforementioned theme of God's forgiveness of the worshipers as he forgave their ancestors despite their rebellion (lines 7–11a). The supplications that continue this theme are related to the requirement in Deut 30 that Israel should repent after their punishments by the Deuteronomic curses in order to be worthy of God's redemption.

> May your anger and fury turn back from your people Israel at all [their] sin[s] …
> that we might [repe]nt with all our heart and all our soul,
> to plant your law in our hearts
> [that we turn not from it, straying] either to the right or to the left.
> Surely you will heal us from such madness, and blindness, and confusion of
> [heart]. (lines 11b–15a)

The penitential motifs in the prayers for the aforementioned days represent traditional Deuteronomic motifs that became customary in the biblical postexilic prayers. Therefore, and because of the early date of this composition (ca. 150 B.C.E.),[23] Chazon has suggested that the *Words of the Luminaries* is a presectarian series of prayers.[24] However, the prayer for Friday (4Q504 frg. 1–2 v–vi) includes some other motifs that are at least close to a distinctively sectarian viewpoint/outlook.

In the first part of the prayer for Friday (frg. 1–2 v 2–12) the worshipers mention remembrances of the desolation of the land of Israel as punishment during the first destruction (cf. Lev 26:32–33; Zeph 1:18b; 3:8) and the fulfillment of God's promise in Lev 26:44–45 for the redemption of the exiles.[25] To these remembrances the worshipers add the purpose of God's mercies to his people Israel alluded to in Deut 30:1–2, as follows:

(v 12) להשיב (13) אל לבבם לשוב עודך ולשמוע בקולך
(14) [כ]כול אשר צויתה ביד מושה עבדכה

22. Chazon, "A Liturgical Document," 199.

23. Baillet, "4Q504. Paroles des Luminaries," in idem, *Qumrân grotte 4.III*, 137. The copy of 4Q506 is dated to the middle of the first century B.C.E. (170).

24. Chazon, "A Liturgical Document," 85–90.

25. Ibid., 271–76.

to introduce into their hearts to return to you, to obey your voice
[according] to all that you have commanded through your servant Moses.

The historical remembrances and their purpose introduce the present state of the worshipers, who consider themselves the children of Israel, chosen by God for fulfilling his penitential commandments, as follows.

(v 15) [כי]א יצקתה את רוח קודשכה עלינו
(16) [לה]ביא ברכותיכה לנו
לפקודכה בצר לנו
(17) [לל]חש בצקון מוסרכה

[In]deed, you have poured out your holy spirit upon us,
[br]inging your blessings to us.
You have caused us to seek you in our time of tribulation,
[that we might po]ur out a prayer when your chastening was upon us.

Chazon states rightly that these phrases are based on Isa 44:3b and 26:16, importing the promise of future blessings into the consciousness of the penitent worshipers that they are those who are blessed by God's holy spirit, which enabled them to seek God and to pour out a prayer before him in time of tribulation. The theme of pouring the holy spirit of God upon human beings is found in Ps 51:13 (upon David) and Isa 63:11 (upon Israel during the Sinai covenant). It is used also by the worshipers of the *Words of the Luminaries* in 4Q504 frg. 4 5 [= 4Q506 frg. 131–132 11], as the source of knowledge.[26] However, this theme is particularly emphasized in the sectarian texts from Qumran (see e.g., 1QH^a 20 [12]:12–13; 8:21 [16:12]). Moreover, the Qumran community considered itself as an entity of holiness (1QS 5:6, 20; 8:5–6, 8, 21; 1QM 3:4; 1QH^a 15 [7]:10; frg. 2 13; CD 20:24–25), that its members are inspired by the holy spirit of God for being purified from any iniquity (1QS 4:21) and for being worthy to atone of iniquitous guilt (1QS 9:3–4). Therefore, the individual member of the community is conscious that the holy spirit of God strengthens him to keep the commandments of the Torah according to the community's covenant with God even in distress[27] and that his prayer of penitence would be acceptable (1QH^a 15 [7]:7–8; 8:15–16 [16:6–7]).

The distress from which the worshipers suffer is described as follows:

26. Chazon (ibid., 163, 279) refers to the "spirit" mentioned in Job 32:8 as the source of wisdom and in Neh 9:20 as the source of the commandments of the Torah.

27. Compare the instruction to the understanding one in 4Q416 frg. 2 ii 6–7: אל תמר רוח קודשכה כי אין מחיר שוה בה ("For no price exchange thy holy spirit, for there is no price equal in value [for it]") .

(v 17) ונבואה בצרות (18) [נג]ועים ונסויים בחמת המציק[28]

We have entered into tribulation, [cha]stisements, and trials because of the wrath of the oppressor.

Such tribulations are depicted literally in 1QS 1:17–18; 3:23.[29] However, whereas these sectarian writings identify the oppressors as those who act under the reign of Belial, or the angel of darkness—that is, expressing a dualistic theme—this prayer does not identify the oppressor but merely alludes to Isa 51:13. According to the following context (lines 18–21) these tribulations may be the punishment for their iniquities done in the past.

The following communal confession is based on Isa 43:24 and 48:17–18 but adapts the biblical phrases to a different context. Specifically, they are adapted from a censure of the children of Israel by God to a confession by the worshipers of their sins done in the past—despite warnings about right conduct—which were the cause of their distress.[30]

(v 18) כיא גם (19) [הו]גענו אל בעוונינו העבדנו צור בחט[תנו]
(20) […[31] ה]עבדתנו להועיל מדרכי[נו] בד[רך] (21) אשר נלך] בה
ו]לוא הקשבנו א[ל מצוותיך]

Surely we ourselves [have tr]ied God by our iniquities, wearying the Rock through [our] si[ns]. …
[… Yet] you [have][32] compelled us to serve you, to take a [pa]th more profitable [than that] in which [we have walked through].
[But] we have not harkened t[o your commandments].

The worshipers continue their confession by declaring God's justice as follows:

(vi 1) [ ]
(2) [ ] [ותשלי]ך מ[על]ינו כול פשעינ[ו] ות[ט]הרנו (3) מחטתנו למענכה.
לכה אתה אדוני הצדקה כיא (4) אתה עשיתה את כול אלה.

28. The Hebrew phrase חמת המציק ("wrath of the oppressor") is based on Isa 51:13. See Chazon, "A Liturgical Document," 282, who explains rightly that it deals with a human oppressor.

29. For those who oppressed the men of the community, see 1QH[a] 10[2]:16–17, 21–22, 31–32; 12[4]:9c–12.

30. Cf. the confession in 1QS 1:24–26 and CD 20:28–30, where the worshipers confess their sins and the sins of their ancestors as the reason for the punishment of Israel.

31. In my opinion, the restoration ולוא ("yet [not]") related to Isa 43:23 in this lacuna is not appropriate to the context. I would suggest rather ואתה ("yet [you]").

32. See above, n. 31.

[ ] [You have hurl]ed all ou[r] transgressions fro[m] us, and pu[ri]fied us from our sins for your own sake.
Justice is yours alone, O Lord, for it is you who has done all these things.

The forgiveness of Israel's transgression is based on God's virtues mentioned in Exod 34:7, and the formulation here may allude to Isa 38:17; Mic 7:19; and possibly Ezek 18:31, to which the preposition מ[על]ינו ("fro[m] us") may allude. In the confession of 1QS 2:1, God's grace belongs to his justice, and the author of the *Thanksgiving Scroll* declares God just for forgiving his transgressions (1QH^a 4 [17]:17–20; 8 [16]:17–18), using, *inter alia*, God's virtues of forgiveness from Exod 34:7 and reference to hurling all the transgressions from those who were intended to serve God loyally. However, whereas the author of the *Thanksgiving Scroll* relates the grace of God in that context to the deterministic election of a man for being a righteous individual, as mentioned above, this theme is not emphasized in the *Words of the Luminaries* but may possibly be understood by the phrase "you have poured out your holy spirit upon us" (frg. 1–2 v 15), which adapts Isa 44:3 to a slightly deterministic outlook.

Following the confession, the worshipers mention their present state as penitents who have fulfilled the commandment of penitence recorded in Lev 26:40–41:

(vi 4) ועתה כיום הזה (5) אשר נכנע לבנו
רצינו את עוונו ואת עוון (6) אבותינו
במעלנו ואשר הלכנו בקרי.

And now, on this day, with humbled heart
we seek atonement for our iniquities and the iniquity of our fathers
for our rebellion and continued hostility to you.

Moreover, they make use of Lev 26:44, where the relationship of God to his people Israel is depicted, transforming it into their loyalty to the covenant with God despite their tribulations (see below). Therefore, they are awaiting now the fulfillment of God's promises of redemption, ready to praise God's mighty deeds.

(vi 6) ולוא מאסנו (7) בנסוייכה ובנגועיכה לוא געלה נפשנו
להפר (8) את בריתכה בכול צרת נפישנו.
כיא אתה אשר השלחתה בנו את אויבינו[33] (9) חזקתה את לבבנו
ולמען נספר גבורתכה לדורות (10) עולם.

Yet we have not refused your trials, nor has our spirit loathed your chastisements, so as to break our covenant with you despite all our distress of soul. Surely it is

33. This phrase is supra on line 8.

> you, when you sent our enemies against us, who has given us strength of heart, to the end that we shall tell your mighty deeds for all the generations of eternity.

This is a communal confession of loyalty to the covenant with God, despite the suffering of tribulations brought upon the worshipers. These tribulations might have been considered punishments for their iniquities, depicted above (frg. 1–2 v 18–21). But the context of refraining from breaking the covenant with God despite trials and chastisements might be attributed here to an additional situation, possibly of pursuit by enemies who were religious opponents of the worshipers. Such a dispute is depicted in 1QH^a 10 [2]:22–23, 32–33, 36. This psalm depicts the loyalty of the member of the community to the covenant with God despite his pursuit by his opponents, who tried to influence him to exchange his firm faithfulness for folly, and it mentions the strengthening of his heart against them (lines 24, 28). Both situations, that of tribulations as punishment at the hand of oppressors and those caused by religious opponents, may be in view here, as suggested by the fragmentary clauses that are preserved in the following supplications and thanksgiving for saving the people of Israel "from those who are hostile toward them […]" and "these who cause stumbling" (lines 16–17).[34]

The publication of the might of God (or his wondrous deeds) is a common motif in biblical psalms and prayers (e.g., Pss 21:14; 71:16–19; 1 Chr 29:11) and those from Qumran (e.g., 1QS 10:16; 1QH^a 12 [4]: 28–29; 14 [6]:11; 19 [11]:5–6). In the *Words of the Luminaries*, this motif appears also in 4Q504 frg. 1–2 ii 10–11; frg. 5 i 4; and some fragmentary phrases. Here this motif closes the confession of the worshipers, preparing the setting for the supplications and thanksgiving for the rescue of all the people of Israel from every distress (see frg. 1–2 vi 10–vii 2).

The uniqueness of the prayer for Friday in the series of the *Words of the Luminaries* is that it does not deal just with the past events of the history of Israel but with the present situation of the worshipers. This fact by itself is not unique among penitential prayers. See, for example, the prayers of Ezra 9, Neh 9, Add Esth 4:8–13, and others. However, these prayers are recited in times of explicit crisis, either national or personal, [35] whereas the tribulations mentioned in the

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34. The Hebrew stem כשל is used with the meaning of stumbling in iniquity in Hos 5:5; 14:2, and cf. the phrase in Ezek 14:3, 4, 7: מכשול עוון ("iniquity as a stumbling block"). However, whereas these biblical phrases are used for committing iniquity oneself, the *hiphil* participle המכשילים ("these who caused stumbling") is used in sectarian writings for religious opponents causing others to stumble in iniquities (see 4QFlorilegium [4Q174] frg. 1–2 i 8; 4QCatena A [4Q177] frg. 10–11 7). Baillet's suggestion ("4Q504. Paroles des Luminaries," 150) to read המכשולים ("the stumbling blocks," alluding to Jer 6:21 or Ezek 21:20) seems less appropriate here.

35. The prayer of Ezra 9 is recited during the crisis of the marriage of Jews with non-Jewish women and emphasizes the danger caused by this sin to the fulfillment of the promises of redemption (Ezra 9:8–9), and even to the existence of the people of Israel (Ezra 9:14). The prayer

Words of the Luminaries are not explicit, and the emphasized situation is the present existence of penitence of the worshipers themselves.

This theme is reflected by the penitential motifs used in this prayer. Besides the traditional motifs of the purpose of God to introduce into the heart of the children of Israel to return to him and to obey his commandments (frg. 1–2 v 12–14) based on Deut 30:1–2 and the declaration of God's justice (frg. 1–2 vi 3–4) based on Dan 9:7a, most of the phrases allude to Lev 26:40–45 and passages of Isaiah. The worshipers use these biblical phrases by adapting them to themselves, as those who fulfill the penitential commandments of Lev 26 and by whom the hopes of Isaiah are realized. In addition, this prayer expresses some motifs that are atypical in penitential prayers but that appear in sectarian writings from Qumran. These include the inspiration of the holy spirit upon the worshipers; the suffering of tribulations, chastisements and trials without having broken their covenant with God; the purification from sins; and their mission to tell the mighty deeds of God to all the generations forever. Nevertheless, there is no dualistic content nor uniquely sectarian terminology in the *Words of the Luminaries*. Thus, this composition might have originated among a presectarian circle of penitents ideologically close to the Qumran community and have been adapted by the Qumran community for its ordinary weekly liturgy, as suggested by Chazon.[36] It is noteworthy that the adaptation of this composition is appropriate to the typical ordinary liturgy that the Qumran community established instead of the sacrificial worship (cf. 1QS 9.4–5). This kind of liturgy was not characteristically sectarian but rather reflected contents that were common to the people of Israel as a whole.[37] The allusion to biblical phrases throughout the prayers served such a purpose.

Penitential Prayers in the Parabiblical and Apocryphal Texts from Qumran

4Q393 Communal Confession

The prominent characteristics of the penitential prayer of 4Q393, published by Daniel Falk,[38] are its adaptation of motifs from Ps 51—which is of an individual—

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of Neh 9 is recited during the subjugation of Judea to the Persians (Neh 9:37–38); the prayer of Esther is recited during the threat of Haman to consume the children of Israel (Add Esth 4:8–13, according to the Hebrew version of M. Stein, in A. Cahana edition, הספרים החיצונים [Jerusalem, 1970], vol. 1). See also Dan 9:16; 3 Macc 2:12–13; and the personal prayers of Neh 1; Tobit 3.

36. See above, n. 24.

37. See Bilhah Nitzan, *Qumran Prayer and Religious Poetry* (STDJ 12; Leiden: Brill, 1994), 328–32, esp. 332.

38. Daniel K. Falk, "393. 4QCommunal Confession," in *Qumrân Cave 4.XX: Poetical and Liturgical Texts, Part 2* (ed. Esther G. Chazon et al.; DJD XXIX; Oxford: Clarendon, 1999), 45–61. For preliminary bibliography, see 45.

for a communal prayer (frg. 1 ii–2)[39] and use of Deuteronomic motifs and others (frg. 3)[40] in traditional content. However, at some points the author of 4Q393 interpreted the biblical phrases of Ps 51 and Deuteronomic phrases specifically.

The phrase of Ps 51:7 is adapted in frg. 1 ii–2 3–4 to the following:

הנה בעוונותינו נסכנ[ו]
[ה]וללנו בט[מאת ובק]שי ערף

Behold, in our sins w[e] were founded,
[we] were [br]ought forth in imp[urity of … and in st]iffness of neck.

Falk notes rightly the stylistic changes to the phraseology of Ps 51:7: from ABAB into a form of ABBA; and by choosing a word from the stem נסך ("found"), which is parallel to חול ("bring force") in Prov 8:23–24, instead of the יחם ("conceive") of Ps 51:7.[41] The latter alteration is not just stylistic but influences the content. The choice of נסך in accord with Prov 8:23 emphasizes the ontological human nature of sinning (cf. Gen 8:21), and the addition of the adverbial "stiffness of neck" expresses an accusation concerning deliberate sinning (cf. *Jub*. 1:22). This interpretation is clarified in the alteration of Ps 51:12 as follows:

ורוח חדשה ברא בנו
וכונן בקרבנו יצר אמונות

A new spirit create in us,
And establish within us a faithful nature (frg. 1 ii –2 5–6)

The choice of the phrase יצר אמונות ("faithful nature") interprets the transformation as from a sinful nature to a nature of being faithful to God's commandments (cf. *Jub*. 1:20b, 21, 23; 1QS 5:4–5), which may be a safeguard against deliberate sinning. Do "stiffness of neck" and "faithful nature," as two opposite natures, reflect the dualistic philosophy of the Qumran community?[42] One may notice that these phrases are not formulated in terminology distinctive to the dualistic ideology of the sectarian writings, and there is no mention of any external factor such as Belial (cf. *Jub*. 1:20) or a devil,[43] but rather it is one's own human nature

39. Daniel K. Falk, "Biblical Adaptation in 4Q392 Words of God and 4Q393 Communal Confession," in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Issues* (ed. Donald W. Parry and Eugene Ulrich; STDJ 30; Leiden: Brill, 1999), 126–46, here 137–40.

40. Ibid., 141–45.

41. For נסך in the meaning of "found," see Ps 139:13; Isa 40:19; 44:10.

42. This issue was suggested by Falk in "Biblical Adaptation," 140; idem, "393. 4QCommunal Confession," 52.

43. See 11QPs[a] 19:14–16; 24:10–13.

that is the concern. Thus, it may express at most the atmosphere in which the dualistic movement of the Dead Sea sect originated. The idea that the human being is ontologically impure by nature is attested, indeed, in the psalms of the *Thanksgiving Scroll* (e.g., 1QH[a] 11 [3]:23–24; 12 [4]:29–30; 5:20–22 [13:14–15]), as well as the endowment of a righteous spirit to those chosen by God (e.g., 1QH[a] 12 [4]:31; frg. 2 9; 8:20–21 [16:11–12]). However, these are involved there with the grace of God to a human being despite his or her lowliness. Thus, the formulation in 4Q393 seems to be mainly a clarification of Ps 51:12.

The undertaking of the poet in Ps 51:15 to teach God's ways to sinners in order to return them to God was changed into a plea to God to teach "to transgressors your ways and return sinners to you" (frg. 1 ii–2 6–7). The importance of studying God's commandments for effective repentance is a traditional element in the postexilic penitential prayers and their context (see, e.g., Dan 9:13; Neh 8:5–8; 2 Chr 14:3; 15:2–4;[44] 11QPs[a] 19:14; 24:8; 4QLevi[b]ar [4Q213a] frg. 1 i 13b–14a, see below) and does not reflect a specific sectarian theme. Indeed, the petition here is for teaching by God (see 1QS 4:22; 11:17–21a), but one should compare such petitions in Ps 119:26b, 29b, 135, 144. Thus, even though the sectarian writings mentioned above agree with the themes of this prayer, as suggested by Falk,[45] this prayer probably did not originate with a sectarian author but is rather a common Jewish prayer.

Considering the elements of the preserved prayer in both fragments 1 ii–2 and 3, Falk rightly surveys a pattern of traditional postexilic elements of prayers of confession: (1) confession of sins (frg. 1 ii–2 1, 3–4); (2) acknowledgement of God's just sentence (frg. 1 ii–2 2; frg. 3 4a–5); (3) historical recollection of God's mercies (frg. 1 ii–2 8; frg. 3 2, 6–9); and (4) petition for mercy (frg. 1 ii–2 4b–7).[46] The historical recollection of God's mercies is based on the promise to the ancestors of Israel that their descendants will possess the land as the heritage of the people, as according to Deut 4:38; 6:10–11; 9:1–2; 11:23. However, this promise is mentioned here not according to its past fulfillment, as in Josh 23:9 and Neh 9:25, but rather as a promise that should be fulfilled again in the future with the remnant of Israel for the sake of the ancestors.[47]

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44. See Werline, *Penitential Prayer*, 56–57; 73–75.

45. Falk, "Biblical Adaptation," 140; idem, "393. 4QCommunal Confession," 52 (the comments of frg. 1 ii–2 6–7).

46. Falk, "Biblical Adaptation," 142–45.

47. Blessings for fruitfulness of the land that will be fulfilled in the future, in contrast to curses brought on Israel for their iniquities, are attested in 4Q285 frg. 8 (= 11Q14 frg. 1 ii 2–15), but in a different context. See Philip Alexander and Geza Vermes, "285. 4QSefer ha-Milhamah," in Stephen J. Pfann et al, *Qumrân Cave 4.XXVI: Cryptic Texts and Miscellanea, Part 1* (DJD XXXVI; Oxford: Clarendon, 2000), 241–43.

> may you confirm us as a remnant for them to give to us (that which) you established with Abraham and Israel, dispossessing b[e]fore them [great nations], valiant warriors and those mighty in strength, to give to us houses full [of all good things, hewn cisterns and reservoir]s of water, vineyards and olive trees, the heritage of a people. (frg. 3 7–9)

Such hope is not common in penitential prayers. In the Qumran writings, such hope is related to the community members who are considered penitents (see CD 1:7–8; 4QpPs^{a} [4Q171] 3:9–11), but it is not mentioned in penitential prayers.

In light of the traditional elements of this prayer and the interpretations of some of them that adapt biblical motifs to the agenda of pious Jews in the Second Temple period, we may conclude that 4Q393 is a common postexilic communal confession that characterizes postexilic Judaism in general.

Apotropaic Elements in Apocryphal Penitential Prayers

Three apocryphal penitential prayers from Qumran include apotropaic elements by which a worshiper prays that demonic entities will not have power over him: 11QPs^{a} 19 and 24 and the Aramaic prayer of Levi (4Q213a).[48] These are poetic prayers of individuals that, besides mentioning some traditional components of penitence, are concerned to circumvent the danger of temptation by demonic powers to cause one to stray from the right way of God.

11QPs^{a} 19: *Plea for Deliverance*[49]

Elements of confession are uttered in the thanksgiving that opens this prayer, recited by an individual who has recovered from a mortal illness.[50] The thanksgiving to God mentions those who stumble by sinning and declares God's righteousness, but in atypical phrases.

(1) כי לוא רמה תודה לכה
ולוא תספר חסדכה תולעה
(2) חי חי יודה לכה

48. The apotropaic elements in these prayers were dealt with by David Flusser, "Qumran and Jewish 'Apotropaic' Prayers," *IEJ* 16 (1966): 194–205.

49. James A. Sanders, *The Psalms Scroll from Qumran* (*11QPs^{a}*) (DJD IV; Oxford: Clarendon, 1965), 40, 76–79.

50. The opening statement follows the language of King Hezekiah's prayer after he recovered from his mortal illness (Isa 38:18–19). The story of this event in 2 Kgs 20:1–11 does not mention that Hezekiah confessed his sins. However, Isa 38:17 hints that a confession was a custom in illness and should have been recited. For a similar statement, see Ps 6:6.

יודו לכה כול מוטטי רגל[51]
בהודיעכה (3) חסדכה להמה
וצדקתכה תשכילם.

Surely a maggot cannot praise you,
nor a grave-worm recount you for lovingkindness.
But the living can praise you,
all those who stumble can praise you.
In revealing your kindness to them,
and by your righteousness you do enlighten them.

Following this general penitential thanksgiving is the personal plea of a sinner who was once saved from the punishment of his iniquities; he is anxious about straying again from the right way of God and prays to safeguard him from this danger, as follows:

(9) למות (10) הייתי בחטאי
ועוונותי לשאול מכרוני[52]
ותצילני (11) ה' כרוב רחמיכה
וכרוב צדקותיכה
…
(12) בזוכרי עוזכה יתקף (13) לבי
ועל חסדיכה אני נסמכתי
סלחה ה' לחטאתי
(14) וטהרני מעווני
רוח אמונה ודעת חונני
אל אתקלה (15) בעווה
אל תשלט בי שטן
ורוח טמאה
מכאוב ויצר (16) רע
אל ירשו בעצמי
כי אתה ה' שבחי
ולכה קויתי (17) כול היום.

Near death was I for my sins,
and my iniquities had sold me to the grave;
But you did save me, O Lord,
according to your great mercy,
and according to your many righteous deeds.
…
When I remember your might, my heart is brave,

51. For the Hebrew phrase מוט רגל with the meaning of stumbling by sinning, see Pss 17:5; 94:18.

52. This phrase is related to the opening statement. See above, n. 51.

and upon your mercy do I lean.
Forgive my sin, O Lord,
and purify me from my iniquity.
Vouchsafe me a spirit of faith and knowledge,
and let me not be dishonored in ruin.
Let not Satan rule over me,
nor an unclean spirit;
Neither let pain nor the evil inclination
take possession of my bones.
For you, O Lord, are my praise,
and in you do I hope all the day.

The prayer as a whole includes traditional components of penitential prayers: awareness of sinning (lines 2, 9–10); justification of the punishment (3, 11); recollection of God's past might and grace (12–13); and plea for forgiveness (13–14) and for the imparting of a spirit of faith and knowledge (14). The apotropaic plea for the prevention of danger caused by demonic entities is additional to these components (15–16). Thus, we should consider the provenance of this factor. Its appearance in other Jewish prayers from the postexilic and the talmudic periods may be helpful for solving this issue (see below).

4Q213a = 4QLevi^{b} ar

This Aramaic prayer of Levi was preserved at Qumran on the right and left, respectively, of two adjoining sheets.[53] These fragmentary remains were restored according to the Greek translation of the work in a manuscript from the eleventh century c.e. found at the Athos Monastery of Koutloumous (col. 39, catalogue no. 3108).[54] The apotropaic element follows Levi's priestly preparations for the prayer (col. 1:5–9), including laundering his garments, purifying them in pure water, and washing himself in living water. In the following translation, italics mark material surviving in Aramaic from 4Q213a frg. 1 i.

(10) *O Lord, you* know all hearts,
(11) And *you alone understand* all the thoughts of minds.
…
(12) *Make far* from me, O Lord, the unrighteous spirit,
(13) and *evil* thoughts *and fornication*,

53. See Michael E. Stone and Jonas C. Greenfield, "213a 4QLevi^{b}ar," in George J. Brooke et al., *Qumrân Cave 4: XVII Parabiblical Texts, Part 3* (DJD XXII; Oxford: Clarendon, 1996), 25–33, pl. ii. For the *editio princeps*, see Jozef T. Milik, "Le Testament de Levi en araméen: Fragment de la grotte 4 de Qumran," *RB* 62 (1955): 398–408.

54. The English translation follows that of Stone and Greenfield, "213a 4QLevi^{b}ar," 31–33. See also idem, "The Prayer of Levi," *JBL* 12 (1993): 247–66.

and *turn* pride *away* from me.
Let there be shown to me, O Lord, the holy spirit,
(14) and counsel, and *wisdom and knowledge*
and grant me *strength*,
in order to do that which is pleasing to you
(15) and *find favour before you*,
and to praise your words with me, O Lord.
(16) … *And that which is pleasant and good before you*.
(17) And *let not any satan have power over me*,
to make me stray from your path.
(18) And have mercy *upon me, O Lord, and bring me forward*,
to be your servant and to minister well to you.

The laundering of garments and washing of the body, actions typical of Levitical purity (see Num 8:21), indicate that this is a priestly prayer, related possibly to a priestly ceremony, as suggested by Jonas Greenfield and Michael Stone.[55] There is no direct confession in this prayer, but an awareness of an unrighteous spirit, fornication, and pride (lines 12–13a), from which Levi should be purified in order to be worthy to minister to God. Levi prays in a contrastive style to be separated from these iniquities and for God to grant him the holy spirit, counsel, wisdom, knowledge, and strength (13b–14).[56] In addition, he prays: "*let not any satan have power over me*, to make me stray from your path" (17). The combination of these elements is parallel to those mentioned in 11QPs[a] *Plea for Deliverance*: "Vouchsafe me a spirit of faith and knowledge" and "Let not satan rule over me, nor an unclean spirit." Thus it gives evidence of the same tradition,[57] disregarding the difference between the wording "Satan" in 11QPs[a], which may be ambiguous (a specific entity or "a satan"), and "any satan," which implies any demonic power (see 1QH[a] frg. 4, כול שטן משחית "every satan who ruins"; cf. frg. 45), as noticed by Greenfield and Stone.[58] The means of overcoming the danger of being tempted to stray from the right way by demonic entities is by knowledge of the right way of God gained by study.[59]

The traditional combination of these two components of the apotropaic theme appears in a further prayer from Qumran (11QPs[a] 24) and in Jewish talmudic prayers of individuals. However, the agent that causes temptation is not always defined as a satan.

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55. Stone and Greenfield, "The Prayer of Levi," 250.

56. Ibid., 252.

57. Cf. *T. Levi* 9:9, which mentions a "spirit of fornication" of which Levi should beware, and 3:3, which mentions "the spirits of error and Belial" that tempt people to stray from the right way.

58. Stone and Greenfield, "The Prayer of Levi," 262.

59. Cf. CD 16:4–5: "And on the day when a man takes upon himself (an oath) to return to the Torah of Moses, the angel Mastema shall turn aside from after him, if he fulfills his words."

11QPs[a] 24

The prayer in 11QPs[a] 24 is a Hebrew version of the *Syriac Psalm 155*.[60] There is no confession in this prayer, but petitions of a worshiper who is aware of his sins. He prays for knowledge of Torah, for forgiveness, and for purification from the temptation that like an evil scourge grips a person and makes one stray from the right way.

(6) ה' (7) אל תשפטני כחטאתי
כי לוא יצדק לפניכה כול חי
(8) הבינני ה' בתורתכה
ואת משפטיכה למדני
…
(10) זכורני ואל תשכחני
ואל תביאני בקשות ממני
(11) חטאת נעורי הרחק ממני
ופשעי אל יזכרו לי
(12) טהרני ה' מנגע רע
ואל יוסף לשוב אלי
יבש (13) שורשיו ממני
ואל ינצו ע[ל]יו בי.

O Lord, judge me not according to my sins;
for no man living is righteous before you.
Grant me understanding, O Lord, in your Torah,
and teach me your ordinances,
…
Remember me and forget me not,
and lead me not into situations too hard for me.
The sins of my youth cast from me,
and may my transgressions not be remembered against me.
Purify me, O Lord, from the evil scourge,
and let it not turn against me.
Dry up its roots from me,
and its leaves not flourish within me.

The awareness of having sinned resulting in punishment is combined here with the confession of God's righteousness according to Ps 143:2.[61] The agents of temptation are formulated here as "situations too hard for me" (קשות ממני), namely,

60. The translation of the Syriac back into Hebrew was done by Martin Noth, "Die fünf syrische überlieferten apokryphen Psalmen," *ZAW* 48 (1930): 1–23. I follow the edition of Sanders (see above n. 49), 70–76.

61. Cf. the former phrase: גמולי הרע ישיב ממני דין האמת "May the Judge of Truth remove from me the rewards of evil" (line 6).

temptations that a person can hardly overcome, which may hint at demonic power, and those caused by the inclination of the human heart toward evil from youth (Gen 8:21).

Similar agents—נסיון ("hard temptation") and יצר רע ("evil inclination")—are found in talmudic prayers of individuals that are not penitential prayers (*b. Ber*. 60b), and one can also compare Matt 6:13 and Luke 11:4 and the prayer of Rabbi (Judah the Prince, editor of the Mishnah), who prayed to be saved "from the evil inclination and from Satan who is bent on destruction" (שטן המשחית; *b. Ber*. 16b).[62] The formulators of the talmudic prayers also emphasize that studying the Torah may protect a man against temptations.

The common apotropaic concern for averting/preventing supernatural danger found in both Qumranic prayers from the last centuries B.C.E. and rabbinic prayers from the first centuries C.E. points to a common provenance for this phenomenon. David Flusser claimed that the contrastive motifs of "holy spirit" against "unrighteous spirit" in the prayer of Levi, and likewise "a spirit of faith" against "an unclean spirit" in 11QPs^a 19, point to "the atmosphere in which the dualistic movement of the Dead Sea Sect … originated."[63] However, he pointed out that the common provenance for both the apotropaic rabbinic and Qumranic prayers originated in popular piety out of fear of demonic powers that cause illness and other troubles and pains. This kind of fear is expressed in the prayers of Qumran, such as in 11QPs^a 19:15–16 ("Let not Satan rule over me, nor an unclean spirit; neither let pain nor the evil inclination take possession of my bones") and in 11QPs^a 24:13 (see above). According to the *Songs of a Sage*, magic poetry from Qumran (4Q510–511), "the humiliations of the sons of light" are caused by "the spirits of destroying angels and the spirits of bastards: the demons, Lilith, the howlers and [the yelpers]" (4Q510 frg. 1 5–7 = 4Q511 frg. 10 1–5).[64] Comparable to this are the dangers of destroying illnesses brought by impure spirits to the sons of Noah (*Jub*. 10:1–12). The rabbis were more restrained in naming the agents of temptation "evil inclination" and "a bad man and a bad companion." They did not mention spiritual dangers, but physical adversities such as disease, pestilence, sword, famine, sorrow. Flusser claimed that, "although the rabbis did not by any means sever the ties with the popular piety—their faith was rooted in it—their position was in some points more restrained,"[65] as is demonstrated in their apotropaic prayers mentioned above.

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62. See Flusser, "Qumran and Jewish 'Apotropaic' Prayers," 198–99; Stone and Greenfield, "The Prayer of Levi," 263; Nitzan, *Qumran Prayer and Religious Poetry*, 252.

63. Flusser, "Qumran and Jewish 'Apotropaic' Prayers," 204. Cf. the motif of "establish within us a faithful nature" against "impurity" in 4Q393.

64. For this danger and the Qumranic fight against it, see Nitzan, *Qumran Prayer and Religious Poetry*, 227–72.

65. Flusser, "Qumran and Jewish 'Apotropaic' Prayers," 204.

In summarizing this issue, we may say that the apocryphal prayers from Qumran that include apotropaic elements within penitential elements express the postexilic religious tradition of the awareness of guilt, even though they refer to demonic agents as tempting human beings. The rabbinic prayers of individuals that include apotropaic elements as responsible for human troubles, but not specifically in penitential prayer, seem to reflect a restraint of the popular provenance of this tradition.

Conclusion

This survey of the penitential prayers from Qumran reflects the importance of penitence among the postbiblical Jewry in general and the Qumran community in particular. The examination of the penitential motifs used in the variegated prayers does not indicate a sectarian origin of all these prayers. Thanks to the fact that a prayer such as the apotropaic psalm 11QPs^{a} 24—a Hebrew original of the *Syriac Psalm 155*—was known at Qumran, and other prayers lacking distinctive sectarian motifs found among the Dead Sea Scrolls, one may suggest that common Jewish penitential prayers were brought to Qumran by men who joined the community and even used by its members.

Biblical penitential motifs, except the priestly law of guilt offering, are used in all the prayers. In the distinctively sectarian psalms of the *Thanksgiving Scroll*, these are integrated within sectarian deterministic terminology or accompanied by such terminology. The origin of compositions that do not show distinctive deterministic or dualistic motifs and other sectarian terms is not clear, even though their contents are close to the religious ideology of the Qumran community. The closest prayer to the ideology of the Qumran community is the prayer for Friday in the weekly liturgy of the *Words of the Luminaries* (4Q504 frg. 1–2 v–vi). This prayer uses not just traditional biblical phrases of repentance but adapts phrases from Leviticus and Isaiah for describing the actual state of penitent worshipers, who identify themselves as those who realize the prophetic hopes of repentance and those of Lev 26. Moreover, the worshipers claim that, despite the tribulations they suffer, they have not violated their covenant with God. Such a claim is expressed in some individual psalms of the *Thanksgiving Scroll*. However, because of the absence of deterministic and dualistic aspects in it and in other prayers of the *Words of the Luminaries*, together with its early date, one may suggest that this composition originated in a presectarian circle of penitents close to the Qumran community. The absence of typical deterministic and dualistic motifs enabled the usage of this composition in Qumran as a regular liturgy that expresses common Jewish themes.

The issue of identifying the origin of a prayer is raised also regarding the communal confession of 4Q393. The adaptation in its first surviving section (frgs. 1 ii–2) of Ps 51 for a communal confession and the national characteristic of the supplications of fragment 3 do not suggest a sectarian origin. Thus, the contras-

tive motifs of "faithful nature" against "stiffness of neck," which reflects a slight dualistic theme, could at most hint at an atmosphere in which the dualistic movement of the Dead Sea Sect originated.

A particular motif not characteristic of biblical penitential prayers is the apotropaic supplication for defense against temptation by a satan that would result in sin and punishment by diseases.[66] The phrase "let not satan rule over me" and its parallels, which are similar in individual psalms from Qumran and rabbinic prayers, suggest a common provenance of this phenomenon in popular piety. The distinctive sectarian apotropaic danger—the agents of Belial—does not appear in penitential prayer but in magical songs (4Q510–511) that are intended to protect the "sons of light" from evil spirits during "the reign of wickedness."[67] However, the supplication for the knowledge of the commandments of God for preventing further iniquities, which appears in all the apotropaic prayers, is common in biblical and postbiblical prayers and reflects the atmosphere of penitence in postexilic Judaism.

The atmosphere of repentance in Second Temple Judaism is evidently reflected in the late biblical and apocryphal prayers and in Qumran literature. Nevertheless, the suggestion of a presectarian origin for some of the prayers dealt with in this essay, either close to the ideology and reality of the Qumran community or reflecting a slightly dualistic atmosphere, is a vague solution. It raises the issue of historical identification of those presectarian circles that were close to the penitential atmosphere of the Qumran community. The books of *1 Enoch, Jubilees*, and some of the *Testaments of the Twelve Patriarchs* that were preserved at Qumran reflect the dualistic atmosphere and the existence of evil spirits that tempt human beings to stray from the right way, but the theme of penitential prayer is hardly dealt with in these books, except in the penitential prayer of Moses in *Jub*. 1:19–21 and God's response regarding the repentance of Israel. Thus this issue is still waiting for clarification.

66. The phrase אל תשלט בי כל און ("let not iniquity rule over me") in Ps 119:133 does not mention any external agent of causing iniquity.

67. Cf. 4Q444, which use similar motifs. But the origins of other magic incantations from Qumran (11QApocryphal Psalms [11Q11]; 4Q560, 8Q5 are not clear.

Reflections on Penitential Prayer: Definition and Form

Rodney A. Werline

Introduction

At the inaugural meeting of the Penitential Prayer Consultation at the 2003 Annual Meeting of the Society of Biblical Literature, I proposed a definition of penitential prayer and a brief explanation of that definition.[1] I also considered a few potential problems in defining penitential prayer and offered some suggestions for future inquiry. That definition is as follows:

> Penitential prayer is a direct address to God in which an individual, group, or an individual on behalf of a group confesses sins and petitions for forgiveness as an act of repentance.

The only difference between this definition and my earlier definition in *Penitential Prayer in Second Temple Judaism* is the addition of the phrase "as an act of repentance."[2] This definition arose from the recognition of similar features in several prayers, namely, Ezra 9:5–15; Neh 1:4–11; 9:6–37; Dan 9:4–19; Bar 1:15–3:8; the Prayer of Azariah; Tob 3:1–6; 3 Macc 2:1–10; *Words of the Luminaries* (4Q504, 4Q506), and perhaps 4Q393 *Communal Confession*, which should now be added to the list.[3]

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1. The definition and the paper appear in the essay "Defining Penitential Prayer," in *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (ed. Mark J. Boda, Daniel K. Falk, and Rodney A. Werline; SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), xiii–xvii.

2. Cf. Rodney A. Werline, *Penitential Prayer in Second Temple Judaism: The Development of a Religious Institution* (SBLEJL 13; Atlanta: Society of Biblical Literature, 1998), 2.

3. For this last text, see Daniel K. Falk, "Biblical Adaptation in 4Q392 *Works of God* and 4Q393 *Communal Confession*," in *The Provo International Conference on the Dead Sea Scrolls: Technological Innovations, New Texts, and Reformulated Ideas* (ed. Donald W. Parry and Eugene Ulrich; STDJ 30; Leiden: Brill, 1999), 126–46.

Since that initial presentation, much more careful analysis has been done on the prayers, which in part has tested the definition and the accompanying issues related to form. Not only have these formal aspects of penitential prayers been tested, but form-critical methodology has also been strongly critiqued.[4] Thus, the time has come to reflect on the strengths and limitations of both the definition and the form analyses of these texts.

Visiting the Definitional Margins

Because it is not possible in an essay such as this to revisit every penitential prayer in detail, I will focus on prayers that, for various reasons, may live on the margins of the above definition of penitential prayer and may be lacking several of the form-critical features discussed below. Why visit the margins? Most frequently, modern scholars visit the literary margins—that is, the habitat of texts that modern scholars struggle to fit into a particular modern form-critical category—in order to argue whether the literary or liturgical work is one particular form or another. However, such is not the reason for my foray into this territory, although I will maintain, against how I understand Eileen Schuller's position, that 4Q504 is in the category of penitential prayer; I will not "finally" assign these texts to a category. Rather, I will consider how texts at the literary margins may reveal the way in which forms and roles of penitential prayers may be altered and transformed for and by a particular setting. In their difference, particularity, and ambiguity may lie important information that modern scholars may miss while they establish the "standard form" of a tradition.[5] Ideally, then, we may learn more about how language works within culture.

The analysis of literary forms and the application of form categories are modern scholarly enterprises that scholars sometimes tend to impose, perhaps

4. See the collection of essays in Marvin A. Sweeney and Ehud Ben Zvi, eds., *The Changing Face of Form Criticism for the Twenty-First Century* (Grand Rapids: Eerdmans, 2003). For the problems of definition of genre and form in the study of wisdom and apocalyptic literature, see Benjamin G. Wright III and Lawrence M. Wills, eds., *Conflicted Boundaries in Wisdom and Apocalypticism* (SBLSymS 35; Atlanta: Society of Biblical Literature, 2005).

5. Mark Boda also emphasizes giving more attention to the particularity of each prayer within its setting in his essay on form in volume 1 of this series, see "Form Criticism in Transition: Penitential Prayer and Lament, *Sitz im Leben* and Form," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:191. He suggests rhetorical criticism as an answer to this problem. Without doubting the validity and usefulness of form criticism, I suggest that the work of ritual theorists such as Catherine Bell, Roy Rappaport, Clifford Geertz, and Victor Turner would be extremely helpful in this enterprise. For an example of this kind of interpretation, see Carol A. Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran* (STDJ 52; Leiden: Brill, 2004).

unintentionally, upon the text.[6] Although scholars recognize this, our language while discussing literary forms sometimes slips and we speak as if each literary category had "real" existence. Of course, that "pure form" does not exist. The ancients did not set down literary categories and then rigorously follow them, for this is not the way that language works, nor is it the way that humans learn and use language. Language is a basic feature of culture, forming it, being transformed by it, communicating culture, as well as a means by which a person participates in, experiences, enacts, and relates to people within the culture. Persons within a culture do not simply learn the meanings of words and how to construct understandable sentences. They must also learn larger patterns of speech if communication and participation in culture are to take place. In fact, one may assert that the most significant communication takes place within these larger patterns of language. While these patterns of speech may not be rigidly set down, a person within a culture knows how and when to draw on any particular pattern of speaking, with its own unique vocabulary, according to what the situation demands. This constant adaptation means that any cultural convention will inevitably be adapted to a new setting and thus be forced to change; the convention will be different in each setting. In the use of language and forms, constant "play" takes place between speaker/writer, culture, and readers/listeners. Thus, the way of speaking is in constant flux, depending on the author/speaker's personality, worldview, social location, and even personal whim, and the author/speaker's perceived understanding of the audience or other participants in the cultural acts. While we can somewhat discern particular patterns in speech, these multiple variables mean that there is no one standard form in any given speech pattern or constellation of forms. Yet, similarities in texts or speeches do reveal that there is a certain way that people speak and write depending on the situation in which they find themselves. This idea of a set of ostensibly regulated practices that people adjust to the demands of particular situations resembles Pierre Bourdieu's notion of structure and *habitus*.[7] Such speech is natural to the members of a society, and for them speaking in a particular manner in a particular situation is simply the obvious way to speak. Members of a culture may be able to do this without even much thought.

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6. This point was made several times in the sessions of the Penitential Prayer Consultation. For a similar problem in ritual studies within the discipline of anthropology, see Catherine Bell, *Ritual Theory, Ritual Practice* (Oxford: Oxford University Press, 1992). However, I do not completely agree with Bell's conclusion that the study of another culture's ritual practice produces only the observer's view of the world—a misunderstanding of what is really happening.

7. See Pierre Bourdieu, *Outline of a Theory of Practice* (trans. Richard Nice; Cambridge: Cambridge University Press, 1977), 72–95.

The Pattern of Penitential Prayer Speech

In the case of the groups of texts that we call penitential prayers (those in the list above), a basic pattern of speech emerges when comparing them to one another and contrasting them to other prayers, and we can determine a basic type of context in which they tend to appear. First, in penitential prayers an individual or an individual on behalf of a group addresses God directly and at the person's or group's own initiative. Consequently, these prayers do not arise in the middle of human–divine conversations, of which Moses' conversation with God on the mountain (Exod 32–34) as well as Adam's conversation with God (Gen 3) are examples.[8] In penitential prayers the person typically employs second-person speech in reference to God, although sometimes the suppliant might slip into third person. Such slippage appears, for example, in the penitential poem in Isa 63:7–64:12. Second, the word ידה in the *hitpa'el* sometimes appears somewhere in the context or within the penitential prayer, though again this is not true in every instance. Having entered the penitential prayer tradition through the influences of priestly circles (see Lev 5:5; 16:21; 26:40; Num 5:7), the term appears in relationship to or in the biblical penitential prayers in Dan 9:4, 20; Ezra 10:1; Neh 1:6; 9:2; 9:3. Third, the person acknowledges either his or her own sins or the sins of the people. Sometimes the confession either adopts or displays the influence of the instructions about prayer in 1 Kgs 8:47: "If they … repent and plead with you . . . saying, 'We have sinned, we have done wrong, we have acted wickedly.…' " In texts in which a form of this particular confession is not present, the prayer will contain these words or other vocabulary from Deut 4 and 30 and Lev 26 as the speaker refers to the destructive behavior of the people.[9] Along with this admission of sin, the suppliant often recognizes God's righteousness, "You are righteous, O Lord," what von Rad labeled *Gerichtsdoxologie*. Fourth, the penitent includes a petitionary section, which normally includes a request that Yhwh provide forgiveness along with petitions that ask that present problems be removed or potential punishments be withdrawn.

The final phrase of the above definition sees penitential prayer as an *act* that in some way is doing or is part of doing repentance; this is the verbal part of a ritual process that may include various accompanying ritual actions, such as fasting, weeping, bowing, reading Torah, tearing clothes, and pulling out one's hair from the head and beard. However, more than just a verbalizing of a ritual or the sounding of words, the actual speaking of a penitential prayer is an act

8. See Judith H. Newman, *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Society of Biblical Literature, 1999), 6–7.

9. A point that Mark Boda made to me in a conversation.

itself.[10] For the believing participant, the world is different after the act, after the speech—existence has changed. Further, people perform acts within a complex web of social relationships and understandings about reality. In speaking the prayer, all participants in the ritual, whether they are in the congregation or leading the ritual, take on their particular role in culture and that setting. This means that praying *is* culture and that the act of praying involves individuals or the community in a socially agreed upon action for either maintaining the community and its relationship to God or for announcing that the religious community must abandon its current direction and must set out on a different course. As an act, penitential prayer serves as the way in which an individual or people experiences community, life, and claims to experience God, and all the actions mentioned above that may accompany penitential prayer contribute to this experience of and expression of culture and faith. Thus, the perfect preservation of the form of penitential prayer is most likely not the *telos* for the community. Rather, the *telos* for the authors of these prayers is the adaptation and the application of a pattern of speech to a particular setting in order to shape or, in the case of penitential prayers, to *reshape* the individual or the community by the experience of this practice and to change the world in which they live.

Because we have focused primarily on the literary aspects of penitential prayer, we have not given much consideration to this notion of penitential prayer as an act and prayer as culture and what these mean. Notice that the understanding of penitential prayer as a cultural act does not reduce the prayers to a Durkheimian functionalist model; I am not saying that the prayers somehow aid a culture in projecting a sense of divinity upon itself in order that it might protect and preserve itself. Rather, in a much more engaging and interactive manner, penitential prayer is an act in which people experience part of their world and claim to be encountering the divine order of all things.

Prayers on the Definitional Margins

Words of the Luminaries

In the consultation's discussions about the *Words of the Luminaries* (4Q504), questions arose about the categorization of this collection of daily prayers from Qumran. Eileen Schuller at the 2004 SBL Annual Meeting in her review of the recent work accomplished on penitential prayer in the Second Temple period seemed to suggest that one should not categorize this collection of prayers as penitential prayers and that perhaps the category of penitential prayer should

10. See Jay C. Hogewood ("The Speech Act of Confession: Priestly Performative Utterance in Leviticus 16 and Ezra 9–10," in Boda, Falk, and Werline, *Seeking the Favor of God* 1:69–82), who uses Austin's speech theory to analyze the meaning of the pronouncement of confession.

not ever be used.[11] Rather, one should label these prayers as petitionary prayers that contain penitential themes. Schuller in part seemed to suggest that her position finds confirmation in several of Esther Chazon's observations about 4Q504. Chazon shows that these daily prayers are missing some of the features of penitential prayer speech listed above.[12] First, the prayers lack the term ידה and the standard confessional formula: "We have sinned, we have done wrong, we have acted wickedly." Second, a declaration of God's righteousness occurs only in the prayer for Friday. Third, Chazon claims that the tone of the admissions of sin seems to be different in that they facilitate the presentations of petitions, which she understands as a step removed from the "guilt-racked conscience" normally found in penitential prayer. From her analysis of the prayers' distinctive features, she concludes that the themes of penitential prayer have been grafted into a prayer with the more sapiential concerns for knowledge, wisdom, and discipline. As a result, penitential prayer is transformed into a new liturgical form.

Chazon has provided an excellent, nuanced treatment of the form of 4Q504 and its place in the flow of the history of early Jewish liturgy. My perspective on the prayer, however, differs somewhat from her position, but perhaps mostly in emphasis. I disagree with Schuller's position that 4Q504 is not a penitential prayer and that penitential prayer may not even be a legitimate category. My reasons for this difference of opinion are as follows. As Chazon states, the retelling of Israel's history as a history of sin is most like Ps 106 and the penitential prayer in Neh 9. These two texts suggest that, early in the tradition, penitential prayer could assume this form of retelling Israel's history. Nehemiah 9 may have been the prayer text that brought this form of penitential prayer into the tradition. Further, the use of ידה ("confess") in Neh 9:2 and 3 indicates that Second Temple Jewish authors understood the retelling of the people's history as a history of sin as an act of confession, a penitential prayer.

The idea of discipline, often part of the sapiential worldview, is not that far removed from the theology of penitential prayers. Penitential prayers interpret the punishment that has come upon the people as God's correction, to which they must willingly submit and against which they must not rebel. While the idea of discipline may have most likely arisen in wisdom traditions, by the time of 4Q504 it may have been widely disseminated, developing somewhat naturally out of the Deuteronomic perspective in penitential prayer of accepting punishment for sin. Submission to God's punishment is central to the prayer in Bar 1:15–3:8, in which the author equates rebellion against the king as rebellion against God.

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11. Eileen Schuller, "Penitential Prayer in Second Temple Judaism: A Research Survey" (paper presented at the Penitential Prayer Consultation at the Society of Biblical Literature Annual Meeting, San Antonio, Texas, November 2004). A revised and updated version of that presentation is included in this volume.

12. See the essays of Esther Chazon (177–86) and Eileen Schuller (1–15) in this volume.

The present form of Baruch also couples the prayer with a wisdom poem. Thus, penitence and wisdom again stand close together. While this theme changes the tone of the prayer in 4Q504 and the suppliant is not lying on the ground, as Ezra does, wracked with shame, the prayers in 4Q504 nevertheless climax on Friday with the most intense penitential statements. As mentioned above, the prayer for Friday contains the *Gerichtsdoxologie*: "O Lord, you are righteous" (frg. 1–2 vi 3). Further, on this day the members of the praying community claim to have "humbled" their hearts and to have "atoned" for their iniquity and the iniquity of the fathers (frg. 1–2 vi 5–6). These lines closely resemble Lev 26:40–41, the priestly directions about how the exile can be ended:

> On this very day when our heart has been humbled, we atone [רציונו] for our iniquity [עוונו] and the iniquity [עון] of our fathers, for our disloyalty [במעלנו] and our rebellious behavior [הלכנו בקרי]. (4Q504 frg. 1–2 vi 5–6)

> But if they confess [והתודו] their iniquity [את־עונם] and the iniquity of their ancestors [ואת־עון אבתם], in that they committed treachery against me [במעלם אשר מעלו־בי] and, moreover they continued to be hostile to me … if their uncircumcised heart is humbled [יכנע] and they make amends [ירצו] for their iniquity… (Lev 26:40–41)

These lines for Friday suggest that these daily prayers in a weekly cycle intended to spread the recitation of Israel's sins through the week, resembling the structure of Neh 9 and Ps 106, so that the prayers would reach a penitential climax on Friday as preparation for Sabbath. Having finished the cycle, the community was now prepared for worship on this holy day. The Sabbath prayers in 4Q504 break from the penitential tone and launch into praise (frg. 1–2 vii 5–7).

Chazon correctly states that penitential prayer may facilitate the execution of an additional quest: the desire for knowledge. She sees this desire as the primary concern of the prayers for Sunday and Thursday in 4Q504. She writes:

> Here the *Words of the Luminaries* has combined two genres: penitential prayer and the set liturgical pattern identified by Moshe Weinfeld as petitions for knowledge, repentance, and forgiveness.[13] More precisely, our author has pressed the petitions for forgiveness, repentance, and knowledge into the literary form of penitential prayer.[14]

During this period in Second Temple Judaism, new uses for penitential prayer emerged as the tradition continuously developed and changed, and the

13. Chazon cites Moshe Weinfeld, "Prayers for Knowledge, Repentance, and Forgiveness in the 'Eighteen Benedictions'—Qumran Parallels, Biblical Antecedents, and Basic Characteristics" [Hebrew], *Tarbiz* 48 (1979): 186–200.

14. See above, 184.

engagement of penitential prayer in the quest for knowledge is one of them. For example, the prayer in Dan 9:4–19 is part of an interpretive process that attempts to understand Jeremiah's prophecy about the length of the exile in light of the circumstances at the author's time. Antiochus IV's reign of terror seems to contradict the prophetic word. If we understand the authors of Dan 7–12 as a group of apocalyptic scribes who have apocalyptic, wisdom, and perhaps priestly interests, then these scribal groups may have become quite inventive with the possible applications of penitential prayer. A generation earlier, Ben Sira provided a description of the scribe's activities that resembles Dan 9 (Sir 38:24; 38:34–39:11 [38:24, 39:1–11 LXX]). His scribe stands as a kind of climax to a discussion about the various roles of members of society. The scribe draws from the reservoirs of wisdom: the Torah, the prophets, and all the wisdom of the ancients (38:34b–39:1). He makes his occupation the meanings of parables and proverbs (39:2–3). At two points in the text, Ben Sira refers to this activity of interpretation with the word ἐκζητεῖν (39:1, 3), which probably translates the Hebrew word בקש or דרש, as it does in 51:13–20, for which we have both the Hebrew text and a Greek translation.[15] Rising early in the morning, the scribe begins his quest by praying to God:

> [T]o petition the Most High;
> he opens his mouth in prayer
> and asks pardon for his sins (39:5 NRSV).

This verse indicates that the scribe includes a penitential prayer in the process of interpretation and acquiring wisdom. While we do not have the prayer itself, we may still note the presence of the practice within this process.

From its beginning, penitential prayer operated close to the process of interpreting authoritative traditions, as 1 Kgs 8 (not a penitential prayer in itself, but offering directions about prayers of repentance), Ezra 9, and Neh 9 demonstrate.[16] The results of the interpretation are even incorporated into the prayer. Further, within the biblical tradition, Ezra the priest-*scribe* offers the first biblical penitential prayer (Ezra 9). Certainly, several generations pass before penitential prayer functions to prepare one to receive wisdom and before petitions for wisdom and knowledge appear within the texts of prayers. However, given the close relationship between penitential prayer and gaining knowledge from a text, this development in the use of penitential prayer presents no surprise. The form and role of penitential prayer have clearly changed, but the prayers have not ceased being penitential prayers.

15. Werline, *Penitential Prayer*, 83.

16. For this process, see Newman, *Praying by the Book*.

4Q393 A Communal Confession

The fragmentary nature of 4Q393 presents a problem quite different from the problems related to the study of 4Q504. 4Q393 exists in only a few fragments of only a few lines.[17] Falk has argued that the prayer in several ways contains the elements of Second Temple penitential prayers that use historical recollection as confession (cf. Neh 9).[18] He also notices similarities in language between 4Q393 fragment 3 2 and Neh 1:5; 9:17, 32; Dan 9:4.[19] A threefold confession of sin does not appear in the extant lines, although that would not mean that it never existed in the text. Surviving in the text, however, is the influence of Ps 51 on the expression of concern that God remove the people's sins, have mercy, and instruct the transgressors in the correct way:[20] "Our God, hide your face from [our] faul[ts and] wipe out [al]l our iniquities" (frg. 1–2 ii 4; cf. Ps 51:9); "To transgressors <teach> your ways and return sinners to you" (frg. 1–2 ii 6–7; cf. Ps 51:15); "Do n[ot] thrust the broken [spir]it from before you," (frg. 1–2 ii 7; cf. Ps 51:11–12). The prayer also contains an acclamation of God's righteousness, though not in the usual form, but under the influence of Ps 51: "[I]n order that you are just in [your] verdict" (frg. 1–2 ii 2; cf. Ps 51:6).[21]

The fragmentary character of 4Q393 prohibits the formation of any solid conclusions about the prayer's genre and *Sitz im Leben*. Nevertheless, several features of the fragments resemble penitential prayers from the Second Temple period. The fragment's reliance on Ps 51 is of special interest, because, oddly, penitential prayers from this period rarely draw on the language of this psalm. Two exceptions are the Prayer of Manasseh and the Prayer of Azariah (Pr Azar 16–17 [LXX Dan 3:39]). Reasons for the lack of influence from this psalm are not clear, except that the authors of the penitential prayers grouped together at the beginning of this essay had a special interest in Deuteronomic language and ideology, which are missing in Ps 51, perhaps because the psalm is a confession of the individual for the individual. The Deuteronomic perspective tends to be corporate. With its more corporate Deuteronomic understanding of sin and history, this Deuteronomic-Levitical stream of the penitential prayer tradition may have simply been unable to use this psalm, or at least had little interest in it. Is this fragment evidence of the incorporation of the corporate perspective of the Deuteronomic-Levitical penitential prayer tradition with the individualistic perspective of Ps 51? How would this have changed the penitential prayer trajectory coming out of Deuteronomic and Levitical circles? 4Q393's fragmentary existence

17. Falk, "Biblical Adaptation," 127.
18. Ibid., 136–45.
19. Ibid., 142.
20. The translation comes from Falk (ibid., 139).
21. Ibid., 138.

also prevents a conclusion as to how and when the community used the text. What sort of penitential act was this prayer? This fragment, then, may be near or on the margins of the definition simply because of its fragmentary nature. A more complete text of this prayer might force us to rethink the penitential prayer trajectory through this period.

Apotropaic Prayers and Confession of Sin

A whole set of prayers that are related to confession of sin—apotropaic prayers—have been somewhat overlooked, even though David Flusser's study of prayers from this period drew attention to the confessions in these prayers.[22] Used to ward off evil spirits, these prayers rely on confession of sin as a vital component in achieving this protection. Flusser isolated formal features of confession, petition for knowledge, especially about the Torah, along with the request for protection from demonic forces as distinguishing marks for these prayers. The suppliant believes that this divine knowledge will provide guidance in how to avoid sin and thus the potential of demonic punishment that may result from sin.

Biblical psalms that ask for God's protection appear to be the genre from which apotropaic prayers develop, transforming the "enemies" in the text into demonic powers.[23] Central among these is Ps 91, which Jesus quotes in the Q version of the temptation scene (Matt 4:6; Luke 4:10–11). Flusser also suggests that Ps 51 may be a remote ancestor of the apotropaic prayer.[24] Two Qumran psalms, which Flusser and Eshel characterize as nonsectarian, contain confessions of sin: *Plea for Deliverance* (1QPs^{a} 19 = 11Q5 19) and Ps 155 (= Syriac Psalm 3).[25]

> *Plea for Deliverance*
> Forgive me my sin, O Yhwh, and cleanse me from my iniquity. Bestow on me a spirit of faith and knowledge. Let me not stumble in transgression. Let not Satan rule over me, nor an evil spirit. (lines 13–15)

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22. David Flusser, "Qumran and Jewish 'Apotropaic' Prayers," *IEJ* 16 (1966): 194–205; idem, "Psalms, Hymns, and Prayers," in *Jewish Writings of the Second Temple Period: Apocrypha, Pseudepigrapha, Qumran Sectarian Writings, Philo, Josephus* (ed. Michael E. Stone; CRINT 2/2; Assen: Van Gorcum; Philadelphia: Fortress, 1984), 560–61.

23. See William S. Morrow, *Protest against God: The Eclipse of a Biblical Tradition* (HBM; Sheffield: Sheffield Phoenix, 2006), 190–195.

24. Flusser, "Psalms, Hymns and Prayers," 560–61.

25. Ibid.; Esther Eshel, "Apotropaic Prayers in the Second Temple Period," in *Liturgical Perspectives: Prayer and Poetry in Light of the Dead Sea Scrolls, Proceedings of the Fifth International Symposium of the Orion Center, 19–23 January, 2000* (ed. Esther G. Chazon, with the collaboration of Ruth A. Clements and Avital Pinnick; STJD 48; Leiden: Brill, 2003), 74–79. Translations of these texts are from vol. 2 of Florentino García Martínez and Eibert J. C. Tigchelaar, *The Dead Sea Scrolls Study Edition* (2 vols.; Leiden: Brill, 1998).

> Psalm 155
> O Lord, do not judge me according to my sin, because no-one living is just in your presence. (lines 6–7)
> Remove the sin of my childhood from me and may my offences not be remembered against me. Purify me, O LORD, from the evil plague. (lines 11–12)

1QH[a] 22:14, which Eshel categorizes as sectarian, also reveals the suppliant's concern about sin: "[A]nd my heart melts like wax on account of offence and sin."[26]

As the citations demonstrate, the language of these confessions or admissions of sins does not resemble the structure and vocabulary of the penitential prayers and their confessional statements from the Deuteronomic-Levitical tradition grouped together at the beginning of this essay. Further, while these apotropaic prayers occasionally mention God's righteous judgments (משפט), they do not include the standard declaration that God is righteous—"You are righteous (צדק), O Lord"—found in penitential prayers in the Deuteronomic-Levitical trajectory. The confessional language in these prayers is also more similar to statements in the canonical psalms that request healing or protection or vindication from one's enemies than to penitential prayer texts. For example, the concern about childhood offenses in *A Plea for Deliverance* resembles Ps 25:7 ("Do not remember the sins of my youth"), and the question about who is just in God's presence is reminiscent of Ps 130:3 ("If you, O Lord, should mark iniquities, who could stand?").

The idea that knowledge and understanding of Torah is a way to avoid evil appears elsewhere. Ben Sira teaches that Torah present within a person or within a person's understanding will help one avoid sin and therefore any punishment that may result from such deeds (see Sir 24:22). The idea that some transformation must take place within the people is akin to Deuteronomy's "circumcised heart" (Deut 30:6), Jeremiah's law placed within the people and written on the heart (Jer 31:31–34), and Ezekiel's new spirit and new heart that God places within the people (Ezek 36:26–27). The notion of punishment in these apotropaic prayers develops out of the psalmists' belief that illness came as God's punishment and from traditions related to the rise, presence, and power of demonic forces, especially the apocalyptic mythologies represented in *1 Enoch* and *Jubilees*, Second Temple authors.[27] The powers come upon people because they let down their guard by not keeping Torah and practicing various pious acts, including prayer.[28] Reflecting more than a simple *ex opera operata* worldview, these concepts and practices form part of a complex understanding of religious practice

26. Ibid., 82–84.

27. Eshel, "Apotropaic Prayers," 69–88.

28. See Rodney A. Werline, "Prayer as a Prophylactic against Demonic Powers in the Gospel of Mark" (paper presented at the Society of Biblical Literature Annual Meeting, Washington, D.C., November 2006). See also Byron Good, *Medicine, Rationality, and Experience: An Anthropological Perspective* (Cambridge: Cambridge University Press, 1994), 112–33.

and ritual activity.[29] Prayers along with study resulted in a disciplined life, that is, control over the body for the good, which then removed the opportunity for sin to take control of the body, resulting in a punishing spirit visiting the individual. Or, if the person's body and daily experiences were filled with prayer and Torah, then the individual could not be "possessed" by the power of sin or demonic forces.[30]

The whole tradition of apotropaic prayers appears to have developed apart from the penitential prayer tradition represented in Ezra 9:5–15; Neh 1:4–11; 9:6–37; Dan 9:4–19; and Bar 1:15–3:8, a primarily Deuteronomic-Levitical tradition. Apotropaic prayers are much more individual in their perspective than the penitential prayer tradition influenced by Deuteronomic-Levitical ideology, as is apparent in the apotropaic prayers' use of individual psalms, the request for protection, and the concern that demonic powers stay away from the individual.[31] Like penitential prayers in the Deuteronomic-Levitical tradition, the apotropaic prayers certainly recognize the seriousness of sin. However, in the context of their apocalyptic worldview, authors conceive of this problem much differently. In apotropaic prayers the individual perspective on sin combines with an apocalyptic mythological worldview so that sin causes the individual to become vulnerable to the destructive demonic powers already loose in the universe. Prayers that contain a Deuteronomic view of history tend to understand sin as a corporate problem with historical consequences, that is, in casuistic terms; the sins of the people affect the people as a whole. Even when an individual within the Deuteronomic-Levitical tradition offers a penitential prayer due to suffering, danger, or a desire for knowledge, authors imagine the problem in relationship to the idea of corporate guilt and corporate punishment (e.g., Dan 9:4–19; Tob 3:1–6; Prayer of Azariah). Although authors within the apocalyptic tradition will draw on Deuteronomic ideology, they must always squeeze it into their idea that history is determined.[32] Obviously, more work needs to be done on these apotropaic prayers, how they differ from the Deuteronomic-Levitical penitential prayers, and how they differ as a ritual act.

A Liturgy on the Definitional Margins: 1QS 1–2[33]

The covenant ceremony in the opening lines of the *Community Rule* is not a penitential prayer, but it stands on the margins of the above definition because

29. Werline, "Prayer as a Prophylactic."

30. See ibid.

31. See Morrow, *Eclipse of a Biblical Tradition*, 190–95.

32. This is a significant problem in Dan 9.

33. For a more detailed examination, including the way in which the ceremony is founded upon an interpretation of Deut 4, see Werline, *Penitential Prayer*, 135–38.

the flow of the liturgy exhibits many of the characteristics of penitential prayer. Conducted each year, the ceremony contains several parallels and allusions to the Deuteronomic covenant, especially Deut 28–30. The liturgy also weaves into the ceremony words drawn from other texts and traditions as well, for example, the Aaronic blessing (1QS 2:11), the Day of Atonement, and traditions about the condemned in apocalyptic traditions.[34] The ceremony begins with the priests and the Levites blessing God, to which the congregation responds with a twofold "Amen" (cf. 4Q504). The priests then recount the deliverance that God has provided in the past (1QS 1:21–22) and contrast this with Israel's constant unfaithfulness (1:22–24). This combination resembles the penitential prayer in Neh 9, the retelling of Israel's history in Ps 106 (see also Pss 78; 105), and the penitential poem in Isa 63:7–64:12. As a response to the declaration of Israel's sins, the members of the community confess their sin: "We have acted sinfully, we have [trans]gressed, we have [si]nned, we have committed evil, we and our [fa]thers before us, inasmuch as walk […] truth and just […] his judgments upon us and upon o[ur] fathers" (1QS 1:24–26).[35] The author designates this activity in the ceremony with the verb ידה, the term that arose in the priestly traditions for confession of sin in the penitential context. The fourfold confession of sin used the terms that often appear: עון, פשע, חטא, רשע. Although now damaged, l:26 may have included a proclamation of God's righteousness.

The author of the liturgy assigned parts of the service to various participants,[36] and the many similarities between penitential prayer and this ceremony suggest that the author knew the penitential prayer tradition quite well and creatively played with it, a fine example of the adaptation of ritual to a new setting as mentioned above. The community's view of Israel's history, its dualist worldview, its tendency to establish clear boundaries between insiders and outsiders, and the sect's own vocabulary have also transformed the penitential tradition into the property of the sect; the words and phrases belong to them. As Nitzan has remarked, in the ceremony the community makes a distinction not between Israel and the nations but within Israel itself.[37] While the community will receive

34. For reference to the Day of Atonement, see Shemaryahu Talmon, "The Emergence of Institutionalized Prayer in Israel in Light of Qumran Literature," in *The World of Qumran from Within: Collected Studies* (Paris: Leuven, 1978), 233–37. For traditions about the condemned, see Rodney A. Werline, "The Curses of the Covenant Renewal Ceremony in 1QS 1.16–2.29, and the Prayers of the Condemned," in *For a Later Generation: The Transformation of Tradition in Israel, Early Judaism, and Early Christianity* (ed. Randall A. Argall, Beverly A. Bow, and Rodney A. Werline; Harrisburg, Pa.: Trinity Press International, 2000), 280–88.

35. Translations are from vol. 1 of García Martínez and Tigchelaar, *Dead Sea Scrolls Study Edition*.

36. See Nitzan, *Qumran Prayer and Religious Poetry*, 26–27.

37. Ibid., 124–29.

the blessings of the Deuteronomic covenant, those on the outside, including Jews, are of the lot of Belial and waiting destruction and punishment.

A Narrative Cycle on the Margins: *Testament of Moses*[38]

The author of one section of the *Testament of Moses* also creatively adapts the penitential prayer tradition, as the author moves away from the basic form of prayer or liturgy to a narrative. In the first of two Deuteronomic cycles (chs. 2–4), the southern tribes have finally received their punishment for idolatry in the form of exile. Recognizing the reason for their suffering, they speak to the northern tribes and justify God's actions: "Just and holy is the Lord. For just as you sinned, likewise we, with our little ones, have now been led out with you" (*T. Mos.* 3:5).[39] This confession of wrongdoing from one group of the condemned to the other occurs in other judgment scenes in biblical and Second Temple Jewish texts (see Isa 13; *1 En.* 62:5; Wis 5:3; 1 Macc 6:10). Like penitential prayers, the words of the southern tribes assume the form of a *Gerichtsdoxologie*. In a second statement in which the people accept their punishment, the language resembles Lev 26 and Deut 4 and 30, which "prophesied" that the people would "remember" God, which may serve as a metaphor for confession (*T. Mos.* 3:10). The cycle moves toward its resolution, restoration of the people, after a mysterious figure prays on behalf of the people, which resembles the actions of Ezra (Ezra 9), Nehemiah (Neh 1), Daniel (Dan 9), and Ezra in *4 Ezra* 8:31–36. While several other linguistic similarities are present in the cycle, these basic features reveal the influence of penitential prayer and penitential traditions on this narrative.

No Prayers Are the Same

The reason for examining texts that may be placed near the definitional margins of our "standard" definition of penitential prayer is to discover the ways in which various forms of speech work and are altered. Instead of arguing over where the line is and if any of these prayers or liturgies have crossed it in one direction or the other, I will simply reflect on what one can learn at the margins about the way in which penitential prayer speech may change and why it may change, as well as attempt to arrive at some understanding of the last part of the above definition: How is penitential prayer an *act*, a *ritual act*, and what does that *act* achieve? Further, the penitential act is always done in a specific context which differs from every other context. How does the change in context reshape form?

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38. For a more detailed examination, see Werline, *Penitential Prayer*, 120–23.

39. Translation from J. Priest, "The Testament of Moses," in *The Old Testament Pseudepigrapha* (ed. James H. Charlesworth; 2 vols.; Garden City, N.Y.: Doubleday, 1983–85), 1:928.

Prayers are always changing; they never remain the same. This is true even when prayers are fixed. Sometimes the change in language transpires over a long period of time, making the shifts virtually imperceptible to the practitioners of the religion. Further, every enunciation of a prayer (or liturgy) is performed in an entirely new setting, perhaps even by a different person. As Roy Rappaport states: "The *Shema* remains unchanged, but those who utter it, and thus place themselves in a certain relationship to it, continue to change as circumstances change and as generation succeeds generation."[40] Ronald Grime's quote from Sperber supports Rappaport's statement:

> Each new evocation brings about a different reconstruction of old representations, weaves new links among them, integrates into the field of symbolism new information brought to it by daily life: the same rituals are enacted, but with new actors; the same myths are told, but in a changing universe, and to individuals whose social position, whose relationships with others, and whose experiences have changed.[41]

Whether it is a particular priest, a leader in the synagogue, or any participant in the congregation in worship, each enunciation is different for a multitude of reasons. When a priest says these words, he stands in a particular cultural-religious role. When a peasant says these words, a whole different set of cultural relationships are at work. As a result, one might indeed say that the Shema is different upon every recitation, though the words go unchanged. If this is true of "fixed" prayers and liturgies, even more change is possible when a tradition is more fluid, as is the case in the penitential prayer tradition.

Language, and especially religious language, is always fluid and slippery. Like all language, terms such as *sin*, *righteousness*, *confession*, *knowledge*, and *judgment* constantly take on different meanings according to who is defining the words and when the person is defining them. An individual's use of words and the meanings that person gives to them will also depend on the person's place within the culture and his or her relationship to others within the culture. These shifts may change the meaning of the words even though all are following a typical conventional pattern of speech. This observation helps when reading prayers such as the *Words of the Luminaries* (4Q504). Scholars generally agree that typical sectarian language and worldview are absent from the prayers, especially the dualism that dominates so much of the sect's writings. However, should the daily prayers be read within the broader framework of the *Damascus Document* and the *Community Rule* and the community's ongoing history? If so, then the community

40. Roy A. Rappaport, *Ritual and Religion in the Making of Humanity* (Cambridge: Cambridge University Press, 1999), 52–53. Through this section, Rappaport's theories have been especially influential on my observations.

41. Ronald Grimes, "Reinventing Ritual," *Soundings* 75 (1992): 37.

offered these daily prayers within a context of existing as a penitential movement that had broken off from the rest of Judaism—whether the prayers had that original purpose or not—and through the sect's dualistic worldview. When those praying 4Q504 spoke the term "covenant" or words related to the covenant, they thought of the term as the community defined it in describing itself. Eventually at Qumran, the covenant belonged to the community and not to Jews outside the movement. While the covenant-renewal ceremony of the *Community Rule* brought penitence to the foreground each year in a religious service, the *Words of the Luminaries* provided a weekly cycle of penitence, which may have assisted in preserving the overall penitential attitude and atmosphere of the community present in its myth of foundation. Thus, even if the prayer does not contain sectarian themes, it will sound like it does when those in the community pray it together.

Second, and closely related to the first point, penitential prayer is an *act*, which means it seeks to effect something or participate in something or create something. By offering the prayer, the individual or community intends to move out of an undesirable state caused by sin to an ideal state; in other words, they want to change the world, and it is changed in part by the speech act, the pronouncement of the confession. The community has determined the desired state and if this desired state has been lost or is threatened. Thus, penitential prayers are part of an act that may hope to achieve salvation from enemies, the end of exile, the acquisition of knowledge, the meaning of a mysterious text, preparation for Sabbath, entrance into a community, or the founding of a penitential movement. As a subcategory of petitionary prayer, penitential prayer had a ready-made vehicle for requesting and moving toward the desired change: the petitionary section.[42] The crafting of the petitionary section will inevitably alter the act or words of the prayer, which also obviously means that the form of what is said will change. Therefore, the context in which the prayer is offered and the related content of the petitionary section will transform the prayer to fit the particular setting. From its Deuteronomic origins, penitential prayer was organically linked to situations that call for petitionary prayer. In Solomon's prayer in 1 Kgs 8, the king through his prayer to God instructs the people of Israel on how to respond to moments of crisis that arise. Of course, in line with the Deuteronomic understanding of history and sin and punishment, any disaster that comes upon the people results as punishment for the people's sins. When the people suffer from defeat by an enemy (8:33), drought (8:35), famine (8:37), or various plagues, attacks, or illnesses (8:37), Solomon implies that the people will petition God for an end to their misery (8:38). Accompanying their petition will be a penitential prayer (8:34, 38–40). Thus, from

42. David Flusser places penitential prayer under the category of "Prayers in Distress (*Tahanunim*)" in "Prayers, Hymns and Psalms," 570–73.

the beginning of the Deuteronomic-Levitical penitential prayer tradition, repentance and petitions for deliverance stand closely to one another.

Conclusion

When certain features are missing from a particular penitential prayer, questions arise concerning the prayer's genre: Without certain features, is it a penitential prayer or not? Further, when penitential themes become mixed with various dominating petitionary elements, a prayer may seem to shift slightly in tone away from penitence. These two characteristics of some prayers in the Second Temple period—omission and manipulation of phraseology and roles—ironically point to the well-established place of penitential prayer in this period; these prayers have become a widely accepted and utilized religious ritual, institution, or cultural convention.[43] Well-known religious rituals can be evoked with only a few words or phrases, and they can be more easily adapted into new functions.

At the same time, what makes the tradition alive may also bring its dissolution. With every enlisting of penitential prayer into a new role, the prayers change and take on new elements of form and thus move further from what they were in an earlier period. The adaptation of penitential prayer into the covenant-renewal liturgy in the *Community Rule* shows how penitential prayer can become something else. If this liturgy were then adapted to a new setting and transformed into a new liturgy, the penitential elements may very well begin to fade and simply become one theme among several. If and to what degree this happened in early Judaism and early Christianity will be an issue for the final volume in this trilogy on penitential prayer.

43. In my earlier book (*Penitential Prayer*) the word "institution" appears in the title and is a crucial part of the argument of the work. If one were to draw on ritual studies, however, the word "convention" may be the more appropriate term for that discipline.

Afterword

Eileen Schuller

I understand that my task in this "Afterword" is not so much to summarize the content of each of the papers in this volume but rather to draw out what I see as some of the major issues that have come to the fore in this second year of the Consultation on Penitential Prayer. I am mindful that this project has been conceptualized in terms of a three-year study and that many key questions rightfully will have their place—and perhaps resolution—only in next year's discussion, as it moves forward to examine penitential prayer in early Judaism and early Christianity. Certainly the papers presented over these past two years have laid a firm foundation for the concluding session.

In this second year of the consultation we move from "origins" to "development."[1] In my introductory essay, I tried to do two things: (1) to situate our focus (exploring the development of penitential prayer from the Persian period into the Greco-Roman period) within the broader research context of how the topic of prayer as a whole has been treated within the study of Second Temple Judaism; and (2) to raise some tentative queries about how we are going to delineate the corpus of texts that are to be categorized as penitential prayers once we move beyond the Hebrew Bible into the multiform and complicated literature that is traditionally designated—although somewhat arbitrarily and artificially—as Apocrypha, Pseudepigrapha, and the Literature of the Dead Sea Scrolls. As Samuel Balentine noted when he undertook a similar assessment of the work of the first year of the consultation,[2] when the same person has the first and last word in a volume such as this, there is an obvious danger that the questions and expectations initially brought to the endeavor will unduly influence the reading of the papers under consideration. Like Balentine, I can only say that I have tried

1. Here I am following the three-stage description of the project—origins, development, impact—as set out by Mark J. Boda, Daniel K. Falk, and Rodney A. Werline in the preface to *Seeking the Favor of God, Volume 1: The Origins of Penitential Prayer in Second Temple Judaism* (SBLEJL 21; Atlanta: Society of Biblical Literature; Leiden: Brill, 2006), ix.

2. Samuel E. Balentine, "Afterword," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:193.

to maintain some measure of objectivity and openness to the diverse perspectives and sometimes quite different questions that the various authors brought to their task. But I do think it is fair to say that almost every essay in one way or another is grappling with the fundamental issue that I raised in the introduction, the question of what it means to read texts—and what texts to read—specifically within the category of "penitential prayer." Indeed the posing of the question in this particular way is the *raison d'ĕtre* and challenge of this consultation.

Texts and Methodologies

Much of this year's consultation is, of course, shaped by the papers we have before us—both those presented at the Society of Biblical Literature session in November 2004 and those commissioned especially for this volume. I will not try to second-guess the intentions of the steering committee in assigning specific topics, and I suspect they would be the first to agree many more texts and topics could have been included. The ten papers can be arranged into two or three subcategories. Most papers concentrate on one specific prayer, while those of Falk and Nitzan offer broader, more thematic surveys of scriptural inspiration and penitential motifs in multiple texts. The first two papers on Dan 9 take us back to last year's work and focus our attention again on the "core four" of the Hebrew Bible (the prose prayers of Ezra 9; Neh 1; 9; Dan 9) that have traditionally been the basis for defining a distinctive *Gattung* of penitential prayer. But with Dan 9 we move from the Persian period into the Hellenistic world of the second century B.C.E., which will be the chronological locus for virtually all the texts discussed here. The next set of papers treat three prayers that are only secondarily related insofar that they all are found in that collection that scholarship calls the Apocrypha: Bar 1:15–3:8, the text that is most closely linked chronologically, structurally, and thematically with Dan 9; Jdt 9, a text that only occasionally shows up in standard lists of penitential prayer (note the framing of the title of the paper as a question "Penitential Prayer or Petition for Obligatory Action?"); and the Prayer of Manasseh, a text that is obviously penitential but expresses the penitence of an individual, not a community. The penitential compositions that are treated in the next four papers are equally diverse in form and origin, but what these texts share in common is that they are all known by the accident of their preservation in the manuscripts from the Qumran caves. Here we have some compositions whose provenances, authors, and dates of composition remain quite vague and unspecified within "mainstream" Judaism (*Words of the Luminaries*, *Communal Confession*, *Aramaic Levi*, *Plea for Deliverance*) as well as texts (the covenant-renewal liturgy, the *Hodayot*) that can be associated much more specifically chronologically and ideologically with a distinct sectarian group (whether we identify them with or call them Essenes or not). When we come to the final paper of the volume, "Reflections on Penitential Prayer: Definition and Form," the key questions and texts are brought before us one last

time as we reflect anew on "texts at the margins" and the definition of penitential prayer.

The authors in the volume have chosen to approach their texts and topics in different ways. Some papers take up a specific prayer and present a close analytical study of structure and content using standard methodologies, especially form criticism and traditio-historical investigation. Once we move beyond the Hebrew Bible, such literary studies are still few and far-between in current scholarship, and the addition of another essay to the bibliographies on Bar 1:15–3:8, Jdt 9, and the Prayer of Manasseh is certainly one of the strengths of the volume.[3] Although I may not make extensive comments on these papers, my silence should not be seen as a lack of appreciation for their contribution.

Other papers adopt newer and more experimental methodologies and approaches. Most specifically, Rodney Werline turns to the fields of anthropology and sociology, specifically the subdiscipline of ritual theory, to highlight social, religious, and political features of the prayer in Dan 9. Werline draws upon three ritual theorists: Clifford Geertz's understanding of religion as a "cultural system of symbols," to demonstrate how penitential prayers function to declare that something is wrong in the world and serve as a "beginning point toward restoration of the individual and people to the divine, as well as toward the restoration of the general order of the world" (20); Victor Turner's concept of "liminality" to think about the disruption of sacred time and sacred place; and Catherine Bell's explication of how ritual enacts and mediates power relations within a society to alert us to the social value of Daniel's divinely acquired knowledge to define boundaries and establish "insiders" and "outsiders." In Daniel, the boundaries are between the *maskilim* who understand and the wicked who do not (Dan 12:10). Werline argues that the *maskilim* hold together two diametrically opposed ways of looking at the world—apocalyptic determinism and conditional covenantal theology—and are able to do so precisely because the first establishes group identity and the second relates the group to the broader streams of Jewish tradition and temple practice within which they want to stand. Werline concludes that "ritual theory is able to highlight what we have not yet seen in these prayers, such as issues related to understanding of time, space, group, the politics of praying, and the vision for the society" (31). I suspect that at least some previous scholars using more traditional methodologies have been alert to many of these dynamics, even if they used more conventional terminology to speak about them. But ritual

3. Significant recent work has been done on these prayers by other members of the Consultation, e.g., Rodney Werline's analysis of Bar 1:15–3:38 in *Penitential Prayer in Second Temple Judaism: The Development of a Religious Tradition* (SBLEJL 13; Atlanta: Scholars Press, 1998), 87–105), and Judith Newman's study of Jdt 9, albeit from a somewhat different perspective, in *Praying by the Book: The Scripturalization of Prayer in Second Temple Judaism* (SBLEJL 14; Atlanta: Scholars Press, 1999), 117–54.

studies pushes us to put the social, cultural dimension at the center of our discussion and gives us the vocabulary to do so.

Another essay that seems to be more indebted to ritual studies methodology than is explicitly acknowledged is that of Russell Arnold in his detailed and careful study of the covenant-renewal ceremony. Certainly in his book *The Social Role of Liturgy in the Religion of the Qumran Community*, of which this chapter is a lightly revised section, it is much clearer how Arnold's approach has been shaped by the same trio of Geertz, Turner, and Bell.[4] In this essay, Arnold analyzes the literary form of the covenant-renewal ceremony, tracing its roots in, and transformation of, the foundational biblical texts, and concluding that, although the Qumran community employed forms prominent in the penitential prayer tradition "the ceremony itself [is] not precisely a penitential prayer" (175). Indeed, he would argue that the important question to ask is how this ceremony *functioned* in the Qumran community, a community with a strong deterministic theology that allowed scarcely any role for petition to change the preordained divine plan or for the autonomous decision of the individual. Given this context, Arnold uses the language and concepts of ritual studies to reformulate the place of the covenant-renewal ceremony: it did not serve to generate or enact an individual emotion of regret for sin nor even an individual decision to reorient life choices but rather "functioned most meaningfully as a rite of passage establishing the strict boundaries of the community" (175).

Finally, it could be said that ritual studies has had a direct impact on what has become the "working definition" for this consultation. That is, in 2003 Werline revised his earlier 1998 definition of penitential prayer as "a direct address to God in which an individual, group or an individual on behalf of a group confesses sins and petitions for forgiveness,"[5] by adding an additional phrase, "as an act of repentance."[6] In the final essay of the volume, Werline explains that in making this addition he wants to put the focus on penitential prayer as an *act* rather than just a literary written text, as one part of a total ritual process that may include other ritual actions: fasting, weeping, bowing, reading Torah, or tearing clothes (212). Werline poses the question explicitly: "How is penitential prayer an *act*, a *ritual act*, and what does that *act* achieve?" (222). In his answer, he quotes ritual studies theorists Ronald Grime and Roy Rappaport on the ever-changing nature of prayer, so that the words of the text might remain the same and yet the prayer changes with every recitation in its own unique context. On prayer as *act*, he says

4. Arnold names the influence of Geertz, Turner and Bell specifically, see especially the "Introduction" in *The Social Role of Liturgy in the Religion of the Qumran Community* (STDJ 60; Leiden: Brill, 2006), 1–25.

5. Werline, *Penitential Prayer,* 2.

6. Rodney A. Werline, "Defining Penitential Prayer," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:xv.

that this "means it seeks to effect something or participate in something or create something" (224); in penitential prayers it is sin that stands in the way of securing what is needed or preventing what is not needed (deliverance from enemies and demonic powers, healing, interpretation of a text, knowledge). While I am still not sure I fully understand the implications of saying that prayer is *act* nor the import of Werline's repeated statement that "praying *is* culture" (213), I am convinced by all these essays that ritual studies has to become a significant partner in our ongoing conversations.

Pieter Venter in his study of Dan 9 draws upon another new methodology, the "discipline" (as he calls it) of "critical spatiality" as a "tool for social-historical reconstruction" (46). Using theoretical language adopted from the work of Edward Soja and others, he argues that in Dan 9 Jerusalem and the temple function not just as physical entities but as mental, sociological, and theological space, as "Thirdspace" that "constituted the locus where they were as sanctuary"; according to Venter, in the book of Daniel the theological contents of the traditional penitential prayer "enhanced the experience of the liturgical occasion in this generic space" so that "their fasting and penitence established the place where they worshiped as holy space" (49). Venter's description of "critical spatiality" as a theory and approach is necessarily brief, even somewhat cryptic, but his discussion prompts me to ask whether there is something here that could be applied not only to Daniel but also to other texts and contexts, especially when we are trying to think through the institutionalization of penitential prayer.

Finally, I was interested to find references to the recent book of Carol Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran*.[7] In this book, which has already shown itself to be highly influential and much quoted, Newsom does not deal with penitential prayer per se. Rather, she is concerned with the broader issues of the construction of the self and the role of discourse in shaping communities. Her key texts are the *Rule of the Community* and the *Hodayot*, and her approach is broad and eclectic, drawing upon critical theory, discourse analysis, and contemporary rhetorical studies; the work of Mikhail Bakhtin is central, as well as Michel Foucault and Fredric James. Both Newman (114) and Werline (210 n. 5) suggest that such a line of inquiry has potential for the work of this consultation, but this remains a task for the future.

The Category of Penitential Prayer

Almost every contributor to the volume becomes involved in some way with the basic question of whether the specific text/s they are studying fit or do not fit into the *Gattung* of penitential prayer. The discussion is framed against the

7. Carol A. Newsom, *The Self as Symbolic Space: Constructing Identity and Community at Qumran* (Leiden: Brill, 2004).

background of the definition of penitential prayer as formulated by Werline (see above) as the *de facto* starting point, in combination with Claus Westermann's formulation of a chronological line of development from preexilic lament to postexilic penitential prayer. But it is important to remind ourselves that any unidimensional conceptualization of the relationship between penitence and lament, especially in terms of straightforward linear development and the replacement of one by the other, was already being challenged and critiqued in the first year of the consultation. Boda formulated the question starkly and directly: "Can one talk about penitential prayer as a form that has developed out of 'lament' of the preexilic period? Is there really a separate form called penitential prayer, or is it simply 'postexilic lament'?"[8] In his very helpful essay in volume 1, Boda firmly dispelled any impression that he and others may have given in earlier formulations "that there was a unified and ordered transition in prayer forms (some command *ex Cathedra*) that moved people from the one form to the other," and he allowed the possibility that we should be thinking more in terms of "a continuum of prayer expression that moves from lament on the one side to penitence on the other." It is against the background of this more nuanced and already-problematized formulation of relationship between penitence and lament that the participants in the second year of the consultation looked at their specific texts.

From this perspective, it is helpful heuristically that Venter's essay early in the volume reminds us of the classic features of the penitential prayer *Gattung* that he finds clearly exhibited in Dan 9. Venter does talk of "development" (33), but it is "development in the use of the genre of the penitential prayer" when it is situated within an apocalyptic context where the Deuteronomistic/Priestly theology in the penitential prayer confronts the deterministic understanding of history and divine action of an apocalyptic worldview. Venter wants to avoid resolving the dichotomy that is perceived in the book of Daniel in the standard way (by opting for a reading in which Deuteronomistic theology corrects apocalyptic or in which apocalyptic cancels out the Deuteronomistic) by proposing that "neither is intended to be a corrective to the other" (27) but that both together express a central truth. He proposes that what we have is a *montage* technique (his terminology) that "works with the polyphony of dictions that express in their dialogical relationship a new idea unheard of or that cannot be formulated in any other words" (44). Twice, but only in a single sentence in each case (33 and 49), Venter links what he sees happening here with the creation of "an ideological matrix" for penitential prayers conducted in the synagogue. This is a tantalizing suggestion, but it needs further concrete development in order to demonstrate how his reading of Daniel becomes relevant to synagogue liturgy.

8. Mark J. Boda, "Form Criticism in Transition: Penitential Prayer and Lament, *Sitz im Leben* and Form," in Boda, Falk, and Werline, *Seeking the Favor of God*, 1:187.

When we turn to the specific studies of Bar 1:15–3:8, Jdt 9, and the Prayer of Manasseh, it is striking that in each case the author ends up concluding that the way that penitential prayers have typically been described requires some revision when their specific prayer is added to the "data base" (80). Floyd demonstrates how little Bar 1:15–3:8 differs from the complaint psalms with respect to generic form; while he acknowledges some difference in the prominence given to confession of sin, he questions whether this constitutes a qualitative change and amounts to a transformation of genre, especially because, he argues, the rituals of penitence and lament complement rather than replace each other on the level of religious practice, since each deals with a different aspect of the experience of sin and how we might understand theodicy and divine righteousness. Flesher suggests that the fundamental premise of the book of Judith is that penitence and submission are not the appropriate response to the concrete reality confronting the people at this time of crisis in the Seleucid era. Rather, it is a response of lament with its emphasis on the innocence and weakness of Judith and her people plus the commitment to resistance that is appropriate and able to achieve the desired deliverance. It is by reading the text of Judith's words that the reader learns that lament does not require complaint against God and that the new theological commitment to the righteousness of God can be incorporated into lament and is not limited to the context of confession of sin. It is perhaps significant that the author of the book does not allow us to hear the actual text of the people's penitential prayer that Judith rejects; Judith's lament is given in full, but there is only the third-person summary that the people confessed "our sins and the sins of the ancestors" (7:28) and "cried out to the Lord God with a loud voice" (7:19, 29). In the end, I was not sure how far Flesher would want to press the case. Is the book of Judith a critique of penitential prayer per se? Or does it serve only as a critique of a mentality that places so much emphasis on penitential prayer that it does not allow an ongoing place for "traditional" lament (103), indeed, for the acknowledgement that in some situations, lament has an indispensable place? When we turn to the clearest and most focused exemplar of a penitential prayer, the Prayer of Manasseh, Newman makes the point that it appears as "something of an orphan" and a "counterdiscourse" (105). In part at least, this is because so much of the current discussion has focused on the reconstruction of a continuum that goes from communal laments to communal prayers of penitence and very little attention has been paid to individual laments. Newman's move to include the Prayer of Manasseh in the conversation echoes Floyd's comment that "there is no reason to limit the comparison to communal complaints" (72), especially given that we have so many more exemplars of the latter in the canonical Psalter, a fact that must bear some relationship to their importance and continuing usage in the Second Temple period. In addition, Newman uses the Prayer of Manasseh to raise the new question of the significance of superscriptions for genre analysis.

Finally, Floyd argues that the inclusion of the book of Baruch brings something new also to the discussion on the relationship between prayer and sacrifice

and the process of institutionalization. Baruch 1:10–14 contains some of the most explicit statements that prayer and sin offerings are to be complementary; certainly there is no allowance for one replacing the other. In considering possible contexts in which penitential prayer became institutionalized, Floyd uses the book of Baruch in a very creative way when he insists that we take seriously the whole of the book and not just the prayer in 1:15–3:8. He cautions that the use of covenant language in and of itself need not imply the *Sitz im Leben* of a covenant-renewal ceremony but challenges us to take into account the poem in praise of Wisdom (i.e., Wisdom as Torah; 3:9–4:4) and the exhortatory challenges addressed to the people and to Jerusalem ("take courage" 4:5–5:9) in reconstructing possible scenarios. Thus he postulates "periodically celebrated rituals of penitence, whether in local assemblies or at the central sanctuary" that assume the covenant but have adherence to "the Law and the Prophets" as their main ritual purpose (77). Again, such a proposal is still inchoate, but it highlights a way to link penitential prayer with the role of Torah and prophets in the early development of the synagogue.

The discussion of penitential prayer in the Dead Sea Scrolls presents its own challenge. Not least is the simple reality that so much of the material is so very fragmentary and incomplete. I think it is important to keep reminding ourselves that even for a key text such as the *Words of the Luminaries*, we are really dealing with some forty-eight fragments from 4Q504 and forty-nine fragments from 4Q506, and we are dependent on a reconstruction of their exact placement in the original scroll to give us any real sense of the shape of the whole and the division of material among the various days of the week. Falk in particular directs our attention to other Qumran manuscripts that offer tantalizing hints of further relevant materials (4Q381 *Non-canonical Psalms*; 4Q369 *Prayer of Enosh*; 4Q378 *Apocryphon of Joshua*; 4Q481c *Prayer for Mercy*; 4Q179 *Apocryphal Lamentations*). Ultimately, he is forced to admit that "their fragmentary nature provides little useful data for the purposes of the present work" (146)—just the glimpse that more penitential material once existed.

The *Words of the Luminaries* obviously surfaces as a key text; indeed, this is the one text that is treated in some depth by multiple authors in the volume, and it is helpful to bring together their approaches and contributions. Nitzan makes an in-depth survey of penitential motifs in the *Words of the Luminaries* and finds many that she considers typical of penitential prayer as well as a significant number of other motifs that she judges atypical for penitential prayers, namely, the giving of the holy spirit, the commission to tell of God's mighty deeds, and especially the claim in the key prayer on Friday that "we have not refused your trials, nor has our spirit loathed your chastisements." The latter is a significant reversal of Lev 26, especially since this bold claim on the part of the people is not made with reference to their conduct during a specific crisis but as a description of their ongoing loyalty to God even in the face of divine punishments. She basically adopts a standard interpretation about provenance, concluding that

"this composition might have originated among a presectarian circle of penitents ideologically close to the Qumran community and have been adapted by the Qumran community for its ordinary weekly liturgy" (198). Nitzan does not entertain any sustained reflection as to whether a combination of typical and atypical penitential motifs make for a penitential prayer per se. Falk, in contrast, is much more direct in laying out all the ways (including a discussion of those advanced by Chazon; see below) that the *Words of the Luminaries* is problematic for the standard categorization of penitential prayer, yet he concludes that "the weekday prayers of the *Words of the Luminaries* should probably all be regarded as penitential prayers even though the formulations vary and they include concerns besides sin" (143).

Chazon gives the fullest and most nuanced treatment, as is to be expected from one who has worked for so many years on this text. Early on (178) she states somewhat ingenuously that "[t]he *Words of the Luminaries* is usually categorized as penitential prayer," although the only people she quotes as evidence for this claim are the two key players in this consultation, Werline and Boda—and as I indicated in my introductory comments, this is not how it has usually been classified, even by Chazon herself! Then within the same sentence she claims only a "strong penitential component"—which no one disputes—and by the next sentence she has moved on to give a new assessment: "the *Words of the Luminaries* stands at the crossroads of a new development in the history of penitential prayer." This new development involves the adaptation of the genre to daily communal prayer, a shift in emphasis away from an overriding concern with sin, and the combination with a broadly attested set liturgical pattern of petitions for knowledge, repentance, and forgiveness. Chazon admits that there are many caveats and anomalies in terms of the standard description of the penitential prayer *Gattung*: the confessional formula "we have sinned" does not appear, nor the reflexive of ידה; there is only a secondary emphasis on sin in the historical recollections; some requests for forgiveness are implicit/implied (I do not quite know what this means); confession and forgiveness are the first step in rehabilitation, not the *raison d'ĕtre* of the prayer; even in the climactic Friday prayer, current troubles are presented as "trials and tribulations in a manner quite foreign to early penitential prayers" (182); motifs of discipline and sapiential motifs are introduced, atypical of penitential prayer. If I understand correctly, in the end Chazon wants to root the *Words of the Luminaries* firmly in a living and well-established tradition of penitential prayer but to claim that penitential prayer is now being "pressed into the service of a new religious practice of daily petition for ongoing needs." In a footnote (184 n. 18, referring to my comments in the introduction and a conversation with Judith Newman), she sets up the question in this way: Can we still talk of merely an inner-generic adaptation, or has a line been crossed so that there is a transformation into a different genre? And who decides exactly where the line is drawn and when it has been crossed? Certainly what we can agree on is that the *Words of the Luminaries* stands at the "definitional margins" (222), to use

the helpful term that Werline has introduced into the discussion in his concluding article. Werline too acknowledges that the "form and role of penitential prayer have clearly changed" (216), even though he wants to emphasize the elements of continuity, not change. Thus he tries to demonstrate that precedents can be found in earlier penitential prayers for features such as the theology of punishment as discipline and a search for knowledge and interpretative wisdom—although clearly these only come to explicit expression at this later stage.

Finally, since Werline chooses to bring me in as one of the voices in the discussion, let me say that for the present I am still content to be counted as a voice that resists bringing the *Words of the Luminaries* under the umbrella of penitential prayer—but I do not feel too far distant and isolated in my stance outside, since Werline himself has already moved to the margins, at least for this and some other texts! If Werline speaks for all the elements of similarity, perhaps someone needs to speak for the elements of difference—not least the simple fact that, when we read the *Words of the Luminaries* as a whole, the prayers for the six days of the week are not the entire composition; they are a preparation for the praise and thanksgiving offered to God on the Sabbath. I suggest that we think more seriously about how all three elements—penitence, petition, and praise—work together in this text.

Future Work

Almost every contributor to this volume has explicitly stated that there is still more work to be done on penitential prayer in the Greco-Roman period. These essays are not the final word, only a beginning. Certainly there are more texts to be studied. I could easily envision another volume of essays, each devoted to the close study of a specific text. It is not hard to find candidates for inclusion: the Prayer of Azariah; the Greek Additions of Esther; 3 Macc 2:1–20; *Jos. Asen.* 12–13; Tob 3:1–6 (to name only the ones that I would most like to see included). From the corpus of the Dead Sea Scrolls, we could include the apocryphal psalm scroll from cave 11 (11Q11), the *Plea for Deliverance*, *Psalm 155*, and some of the more fragmentary texts mentioned above. Nitzan, Falk, and Werline in their essays in this volume have already called attention to the need for further study of these apotropaic prayers with the complex relationship, both literary and ideological, between the confession of sin and prayer for deliverance from demons; likewise, the complex interplay of sin/impurity and purification in the blessings and petitions of fragmentary purification rituals (4Q512, 4Q414). If we wanted to extend our parameters somewhat wider, we could include in our volume an essay on the *Hodayot* that would lead us to examine how penitential motifs and reflections on human sinfulness and weakness function within the context of the literary form of thanksgiving/praise and a strong deterministic theology.

As we expand our data base (to use Floyd's image [80]), I suspect that we are all coming to an increased appreciation of how complex and diverse are the

developments in prayer in Second Temple Judaism: formally, as lament, petition, penitence, and praise come together in new combinations; theologically, as new apocalyptic and deterministic understandings of divine action come together with long-held covenantal paradigms; and socio-historically, as penitence becomes a daily activity that seeks to find a place within new institutions such as the synagogue. The goal of this consultation has never been simply to agree on a list of penitential prayers but to deepen our understanding of and appreciation for the lived reality of prayer in the Hebrew Bible, Second Temple Judaism, and early Judaism and early Christianity. I am grateful for what the papers this year have contributed to that process, and I look forward to the ongoing discussion and challenges that the third year will bring.

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